

**To:** kreutzer.david@epamail.epa.gov[kreutzer.david@epamail.epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 2:53:19 PM  
**Subject:** blurb for release

Good morning David,

Did you get a chance to send me a blurb for our beach head member release?

Ericksen

**To:** Schnare, David[schnare.david@epa.gov]; Greaves, Holly[greaves.holly@epa.gov]; Sugiyama, George[sugiyama.george@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Davis, Patrick[davis.patrick@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:28:44 PM  
**Subject:** Benton letter

I have the Benton letter in my office in 3312. Stop to sign and I will also try to track you guys down.

Ericksen

**To:** Hale, Michelle[hale.michelle@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Thur 5/11/2017 7:32:30 PM  
**Subject:** Re: Doug Ericksen

Thanks again for the effort. I understand. It is not easy for the Administrator to clean up 8 years of Obama mess.

I will stop by tomorrow to thank you in person.

Doug Ericksen

Sent from my iPhone

On May 11, 2017, at 3:26 PM, Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)> wrote:

I regret that this didn't work out. Sydney and Ryan are aware of your desire to speak via phone at some point. Best wishes in WA!

**From:** Ericksen, Doug  
**Sent:** Wednesday, May 10, 2017 2:29 PM  
**To:** Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>  
**Subject:** Doug Ericksen

Michelle,

It is starting to look like a meeting with the Administrator is not in the cards for this week.

I appreciate the effort on your end and understand completely the many requests for time you receive every day for an already tight schedule.

If I am not able to meet with the Administrator before I head back to the West Coast, perhaps a phone call could be arranged at some point.

We are in a special extended session in Washington State and budget votes may be occurring next week.

All of the best to you.

Doug Ericksen

Personal Phone/Ex. 6



**To:** Ari Natter[anatter5@bloomberg.net]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 10:36:33 PM  
**Subject:** RE: EPA study review by political appointees?

No this is not accurate and I had a conversation with Michael Biescker. I was referring to temporary actions on the web page and Michael translated that to what he wrote in the first sentence. The first sentence is not accurate. I trust it was due to a misunderstanding between myself and Michael.

Doug Ericksen

**From:** Ari Natter (BLOOMBERG/ NEWSROOM:) [mailto:anatter5@bloomberg.net]  
**Sent:** Wednesday, January 25, 2017 5:25 PM  
**To:** Ericksen.doug@epamail.epa.gov  
**Subject:** EPA study review by political appointees?

Hey Doug --

Sorry to bug you twice in one day, but I'm trying to confirm this AP story. Can you say if it is correct that EPA political appointees will be reviewing agency data and studies before they can be released to public?

Thanks for any help you can provide.

PA Science Under Scrutiny By Trump Political Staff

By MICHAEL BIESECKER and SETH BORENSTEIN

Washington (AP) -- The Trump administration is mandating that any studies or data from scientists at the Environmental Protection Agency undergo review by political

appointees before they can be released to the public.

The communications director for President Donald Trump's transition team at EPA, Doug Ericksen, said Wednesday the review also extends to content on the federal agency's website, including details of scientific evidence showing that the Earth's climate is warming and man-made carbon emissions are to blame.

Former EPA staffers said Wednesday the restrictions imposed under Trump far exceed the practices of past administrations.

Ericksen said no orders have been given to strip mention of climate change from [www.epa.gov](http://www.epa.gov) , saying no decisions have yet been made.

"We're taking a look at everything on a case-by-case basis, including the web page and whether climate stuff will be taken down," Erickson said in an interview with The Associated Press. "Obviously with a new administration coming in, the transition time, we'll be taking a look at the web pages and the Facebook pages and everything else involved here at EPA."

Asked specifically about scientific data collected by agency scientists, such as routine monitoring of air and water pollution, Ericksen responded, "Everything is subject to review."

Trump press secretary Sean Spicer appeared to distance the president from the issue Wednesday, telling reporters the communications clampdown at EPA wasn't directed by the White House.

George Gray, the assistant administrator for EPA's Office of Research and Development during the Republican administration of President George W. Bush, said scientific studies were reviewed usually at lower levels and even when they were reviewed at higher levels, it was to give officials notice about the studies — not for editing of content.

"Scientific studies would be reviewed at the level of a branch or a division or laboratory," said Gray, now professor of public health at George Washington University.

"Occasionally things that were known to be controversial would come up to me as assistant administrator and I was a political appointee. Nothing in my experience would go further than that."

"There's no way to win if you try to change things," Gray said.

The EPA's 14-page scientific integrity document, enacted during the Obama administration, describes how scientific studies were to be conducted and reviewed in the agency. It said scientific studies should eventually be communicated to the public, the media and Congress "uncompromised by political or other interference."

The scientific integrity document expressly "prohibits managers and other Agency leadership from intimidating or coercing scientists to alter scientific data, findings or professional opinions or inappropriately influencing scientific advisory boards." It provides ways for employees who know the science to disagree with scientific reports and policies and offers them some whistleblower protection.

The AP and other media outlets reported earlier this week that emails sent internally to EPA staff mandated a temporary blackout on media releases and social media activity, as well as a freeze on contract approvals and grant awards.

Ericksen said Tuesday that the agency was preparing to greenlight nearly all of the \$3.9 billion in pending contracts that were under review. Ericksen said he could not immediately provide details about roughly \$100 million in distributions that will remain frozen.

The uncertainty about the contract and grant freeze coupled with the lack of information flowing from the agency since Trump took office have raised fears that states and other recipients could lose essential funding for drinking water protection, hazardous waste oversight and a host of other programs.

The agency also took a potential first step Tuesday toward killing environmental rules completed as President Barack Obama's term wound down. At least 30 were targeted in the Federal Register for delayed implementation, including updated pollution rulings for several states, renewable fuel standards and limits on the amount of formaldehyde that can leach from wood products.

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Follow AP environmental reporter Biesecker at [Twitter.com/mbieseck](https://twitter.com/mbieseck)

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Reporter  
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**To:** Konkus, John[konkus.john@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 5:54:34 PM  
**Subject:** FW: OPA Clips 3/13/17

These stories are such a joke of the propaganda left.

Would you be interested in having several climate scientists weigh in on the side of what Pruitt said?

Or do you think it best to just let it sit. It will be the recurring theme in the coming weeks, and I think taking the offensive is not a bad idea.

Ericksen

**From:** McGonagle, Kevin  
**Sent:** Monday, March 13, 2017 1:14 PM  
**To:** So, Katherine <so.katherine@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hull, George <Hull.George@epa.gov>; Slotkin, Ron <slotkin.ron@epa.gov>; Sowell, Sarah <Sowell.Sarah@epa.gov>; Hart, Daniel <Hart.Daniel@epa.gov>; Orquina, Jessica <Orquina.Jessica@epa.gov>; Actadmmccabe, Catherine17 <Actadmmccabe.catherine17@epa.gov>; Benton, Donald <benton.donald@epa.gov>; Bangerter, Layne <bangerter.layne@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>; Konkus, John <konkus.john@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Kreutzer, David <kreutzer.david@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Schnare, David <schnare.david@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Sugiyama, George <sugiyama.george@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; AO OPA Media Relations <AO\_OPA\_Media\_Relations@epa.gov>  
**Subject:** RE: OPA Clips 3/13/17

*Below: E&E News (4), Bloomberg, Washington Examiner, The Hill, Reuters (via New York Times), E&E News, Reuters, BNA (2), Politico Pro, E&E News, The Hill, The Hill (3/11)*

## **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051373>

### **Enviros demand records on Pruitt's climate stance**

By Hannah Hess 3/13/17

The Natural Resources Defense Council has filed a Freedom of Information Act request with U.S. EPA for all documents or meetings that influenced Administrator Scott Pruitt's controversial statement to CNBC concerning humans' contribution to climate change.

Pruitt raised doubts over whether carbon dioxide is the main driver behind global warming during a Thursday interview, contradicting the scientific consensus on climate change (Greenwire, March 9).

NRDC is seeking all records that Pruitt considered or relied upon to develop his understanding of humans' contribution to climate change and records of all meetings, telephone calls or other discussions he held, including schedules of such meetings, to discuss humans' contribution to climate change.

"This is crazy talk," said NRDC's Ben Longstreth, senior attorney in the Climate and Clean Air Program, on Friday.

"Pruitt's belief is so confounding, so contrary to established science and, frankly, even apparently inconsistent with his own past statements, NRDC wants to know what prompted him to make that claim and to out himself as a true climate denier," Longstreth said in a blog post.

The request is timely, with President Trump expected to formally begin dismantling the Clean Power Plan — the Obama administration's signature rule on carbon pollution — tomorrow with an "energy independence" executive order (E&E Daily, March 13).

Pruitt told the Senate Environment and Public Works Committee during his confirmation hearing, "Science tells us that the climate is changing and that human activity in some manner impacts that change."

NRDC wants to know what may have changed Pruitt's view since then.

"We need to know who he has met with to talk about climate science and what articles he's been reading to help answer that question," Longstreth said.

## **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051375>

## **Senate EPW counsel signs up to advise Pruitt**

By Kevin Bogardus 3/13/17

The Inhofe infantry is becoming a full-fledged army at U.S. EPA.

Mandy Gunasekara, majority counsel on the Senate Environment and Public Works Committee, is joining EPA as a senior policy adviser to Administrator Scott Pruitt, according to sources. Bloomberg BNA first reported Gunasekara's move.

Gunasekara first joined the EPW panel in January 2015 to work on the Clean Air Act and climate change under then-Chairman Jim Inhofe (R-Okla.).

She came to the committee after a brief stint at the National Association of Chemical Distributors.

Gunasekara previously worked as counsel for Rep. Bob Latta (R-Ohio) and as counsel for the Senate Health, Education, Labor and Pensions Committee.

She earned her law degree from the University of Mississippi School of Law and has a bachelor's degree in communication and media studies from Mississippi College, according to her LinkedIn profile.

Gunasekara is the latest Inhofe aide to come to EPA.

Ryan Jackson, a former chief of staff for the Oklahoma senator, is now serving as Pruitt's chief of staff, while Byron Brown, who was an EPW Committee staffer under Inhofe, is deputy chief of staff at EPA. Another former Inhofe aide, Andrew Wheeler, is in the running to be deputy administrator (Greenwire, March 3).

Scott Segal, an energy lobbyist at Bracewell LLP, told E&E News that it was a great move by EPA to bring Gunasekara on board.

"Mandy is very smart, with a great background on Clean Air Act and carbon issues. She was a tremendous asset on the committee, hardworking and dedicated. She will bring great additional strength to the senior EPA staff," Segal said.

## **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051353>

## **Pruitt's office overwhelmed with angry phone calls**

3/13/17

U.S. EPA chief Scott Pruitt has been deluged with phone calls after he disputed human-caused climate change last week.

The call volume was so high that agency officials created an impromptu call center. It appears that a Reddit post with Pruitt's number sparked the event.

It is unusual for citizens to target a Cabinet official, but Pruitt's comments, which go against established science, touched a nerve. EPA's website blames global warming on human influence.

On Friday, the National Oceanic and Atmospheric Administration said the level of carbon dioxide in the atmosphere rose at a record pace for the second straight year (Eilperin/Dennis, Washington Post, March 11). — NB

### **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051368>

### **Meteorologists rebuke Pruitt for CO2 comment**

By Hannah Hess 3/13/17

The head of the American Meteorological Society issued the latest rebuke today to U.S. EPA Administrator Scott Pruitt's statement that he does not believe carbon dioxide is a major cause of global warming.

Reams of evidence support the view that carbon dioxide is a major heat-trapping gas, AMS Executive Director Keith Seitter wrote in a letter to Pruitt after the former Oklahoma attorney general's controversial interview on CNBC (Greenwire, March 9).

"We are not familiar with any scientific institution with relevant subject matter expertise that has reached a different conclusion," Seitter wrote, noting that thousands of scientific bodies around the world have affirmed the link.

AMS, a global leader on climate science, represents more than 13,000 scientists, researchers, educators and broadcast meteorologists — many of whom have been contradicting Pruitt's claims on air.

Weather Channel meteorologist Carl Parker said Friday that Pruitt's statements were false. Parker showed viewers a chart showing the rise in the average global temperature coinciding with the

rise in carbon emissions since the beginning of the Industrial Revolution.

"It is simply not true that there is disagreement among scientists, and there have been multiple studies that have shown that ... 97 percent of climate scientists agree that climate change is a man-made phenomenon," Parker said.

Veteran NBC weatherman Al Roker debunked Pruitt's claim during an appearance on "MSNBC Live," explaining that there is "no credible science or scientist" to support Pruitt's statement.

Roker also discussed the importance of climate science at EPA, with the Trump administration recommending budget cuts (E&E Daily, March 1).

"Well, I think hopefully cooler heads will prevail upon him to say we need to continue to research this," Roker said.

Seitter's message was cordial. AMS understands and accepts that different conclusions may be reached, he noted. "But mischaracterizing the science is not the best starting point for a constructive dialogue," Seitter wrote.

Seitter offered to work with Pruitt or his staff "to advance understanding the science of climate and use those advances for the benefit of the nation and the world."

## **Bloomberg**

<https://www.bloomberg.com/politics/articles/2017-03-13/trump-to-visit-detroit-automakers-seeking-fuel-economy-rollback>

### **Detroit Automakers Said to Win Trump Review of Efficiency Rules**

By John Lippert, Jennifer A Dlouhy, and David Welch 3/13/17 12:09 AM

President Donald Trump is set to announce that his administration will begin the process of reexamining Obama-era vehicle-efficiency standards during a meeting near Detroit with carmakers that have sought to relax the requirements, according to two people familiar with the plans.

Trump's meeting with auto executives and workers during his Wednesday trip to Michigan will unveil that he will reconsider the Environmental Protection Agency's January decision that light-vehicle, greenhouse gas standards for the years 2022 through 2025 should remain intact, the people said. That decision ended an agency mid-term review of the standards more than a year ahead of an April 2018 deadline.

Trump will hold a rally in Ypsilanti, Michigan, where he is slated to announce plans to reinstate the mid-term review and resume studying whether fuel economy rules are feasible or if



automakers need some relief, said the people familiar with the matter. Auto industry executives, including General Motors Co. Chief Executive Officer Mary Barra, are expected to be there.

The industry has been asking the Trump administration to reinstate the review after the EPA under President Barack Obama issued a ruling in January that meeting the 2025 fuel-economy goals is feasible.

Automakers have been arguing for months that the standards impose high costs and don't reflect motorists' driving preferences. Trade groups representing GM, Toyota Motor Corp., Honda Motor Co. and Volkswagen AG on Feb. 21 formally asked EPA Administrator Scott Pruitt to revoke the Obama administration's decision to leave the 2025 standards intact. Eighteen automakers separately petitioned President Donald Trump to reinstate the mid-term evaluation on Feb. 10.

"We are committed to continued gains in fuel efficiency and carbon reduction," the executives said in their letter to Trump. "At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels."

## **50 MPG**

While the review continues, the current EPA auto standards would remain in effect. But the move to reopen the evaluation hands automakers a fresh chance press for changes for the long-term goals, which aim to bring the average fuel economy for a vehicle in the U.S. to more than 50 miles per gallon from 36 today.

Actually changing the standards, enacted in 2012, would be a lengthy process, requiring a formal agency rulemaking with a public comment period.

The auto efficiency standards are part of a so-called "one national program" of aligned vehicle efficiency standards set by EPA, the Transportation Department and California's Air Resources Board.

Automakers have expressed concern about the cost and marketplace assumptions underpinning the EPA's analysis of the standards. They agreed to the ambitious standards in 2011 in part because regulators included the mid-term evaluation to ensure the standards were appropriate based on conditions in the auto market.

## **Environmental Backlash**

"What we're looking for is to really have that review that was part of the original plan that all the automakers agreed to," GM's Barra, told reporters on Feb. 28.

The review also had more practical considerations. Because of a legal quirk, the National Highway Traffic Safety Administration could only set fuel economy standards through 2021. The EPA's "final determination" on whether its standards needed changes was intended to coincide with NHTSA's work to set fuel economy standards for 2022 to 2025. It didn't.

Environmental groups complained that automakers are hiding their true intent.

"Make no mistake this is a demand to weaken the standards disguised as a polite procedural request," said Dan Becker, director of the Safe Climate Campaign.

In an opinion piece published Sunday, Becker and James Gerstenzang, editorial director of the Safe Climate Campaign, said the cost of reversing course would be "catastrophic," as weaker standards would drive up demand for oil and therefore generate more heat-trapping carbon dioxide emissions.

"Together, they are following a scorched-earth policy that leaves us all at risk: a huge industry unprotected against future economic turmoil, American consumers vulnerable to fickle oil prices, our national security reliant on oil from unreliable suppliers and our economy hobbled by the flow of dollars to OPEC," Becker and Gerstenzang wrote. "And on top of all that, a world facing the challenge of a changing climate."

### **Washington Examiner**

<http://www.washingtonexaminer.com/trump-to-visit-detroit-to-stop-epas-rushed-auto-rules/article/2617195>

### **Trump to visit Detroit to stop EPA's rushed auto rules**

By John Siciliano 3/13/17 12:21 PM

President Trump is expected to visit Detroit Wednesday to announce the rollback of Environmental Protection Agency regulations for the automotive industry, said sources privy to the White House plan.

An auto industry representative told the Washington Examiner to expect the administration this week to roll back a final decision that the EPA rushed out late last year, directing the industry to adopt stricter fuel economy and emissions standards for vehicles beginning this year.

Trump will make the announcement at the American Center for Mobility in Ypsilanti, Mich., a Detroit suburb. The president also is visiting Nashville, Tenn., that day. Trump is having lunch with his new Transportation Secretary Elaine Chao on Monday. The agency works with the EPA on the fuel efficiency regulations.

**Why the auto industry doesn't like the new EPA rules:** The automakers say the EPA's decision to move forward with the regulation was rushed. The review process for the regulations under the law was supposed to begin in 2017, with a final decision expected in spring 2018. The rules would require autos to average more than 50 miles a gallon by 2025, up from about 30.

The EPA ignored the industry's comments that the regulations do not match consumer choice, they say. Because of low gasoline prices, consumers are buying more sport utility vehicles and pick-up trucks than fuel-efficient cars, hybrids and electric vehicles. Ninety-five models of electric, hybrid and other fuel-efficient small vehicles have failed to match the market demand for one model of pick-up truck, the industry said. The National Highway Traffic Safety Administration announced last week that cars and light trucks sold in 2016 fell short of fuel economy targets for the first time in over a decade.

**Why the industry says Trump should withdraw the EPA decision:** Trump has worked closely with the auto industry to coordinate his campaign to increase jobs and his America-first campaign. His decision to roll back the EPA decision would help his push for job growth.

**Why Detroit:** Detroit is the capital of the U.S. automotive industry. And General Motors, Ford Motor Co. and Fiat Chrysler Automobiles, all companies Trump has pushed to keep jobs in the U.S., will be present at the event, as well as officials from Japanese and German automakers in attendance, according to Automotive News.

### **The Hill**

<http://thehill.com/policy/energy-environment/323654-meteorologists-refute-epa-head-on-climate-change>

### **Meteorologists refute EPA head on climate change**

By Timothy Cama 3/13/17, 10:48AM

The nation's top organization for meteorology is refuting Environmental Protection Agency (EPA) Administrator Scott Pruitt's recent comments on the role of carbon dioxide in climate change.

Pruitt questioned mainstream climate science last week, saying in a CNBC interview, "I would not agree that [carbon dioxide is] a primary contributor to the global warming that we see."

The American Meteorological Society wrote a letter to Pruitt Monday saying he is wrong.

"In reality, the world's seven billion people are causing climate to change and our emissions of carbon dioxide and other greenhouse gases are the primary cause," the group's executive director, Keith Seitter, wrote in the letter.

"This is a conclusion based on the comprehensive assessment of scientific evidence. It is based on multiple independent lines of evidence that have been affirmed by thousands of independent scientists and numerous scientific institutions around the world," Seitter said. "We are not

familiar with any scientific institution with relevant subject matter expertise that has reached a different conclusion.”

He added that “mischaracterizing the science” is not a good place to start in constructive policy debates surrounding climate, and offered his organization’s assistance in helping Pruitt to understand the data.

Pruitt’s statement cause a firestorm among Democrats, liberal organizations and scientists, some of whom have charged that he does not belong at the EPA if he does not understand climate science.

Pruitt and his boss, President Trump, are planning a wholesale rescission of former President Barack Obama’s climate change policies at the EPA and elsewhere. Trump is expected this week to start the process of undoing Obama’s climate rule for power plants and his coal leasing moratorium for federal land.

Meanwhile, Pruitt plans to start the process soon of reconsidering Obama’s aggressive greenhouse gas standards for cars.

### **Reuters (via New York Times)**

<https://www.nytimes.com/reuters/2017/03/13/us/politics/13reuters-usa-trump-autos.html>

### **Trump Expected to Announce Vehicle Emissions Rules Review**

By David Shepardson 3/13/17, 9:33AM

WASHINGTON — U.S. President Donald Trump is expected announce a restart of a review of vehicle fuel efficiency rules sought by the auto industry at an event on Wednesday with the chief executives of U.S. automakers, according to two sources briefed on the matter.

Trump is expected to visit Ypsilanti, Michigan, a Detroit suburb, to tout his administration's decision to revive a review of the feasibility of the 2022 through 2025 vehicle emissions rules, after the Obama administration moved in its final days to lock in the rules.

In addition to the chief executives of General Motors Co, Ford Motor Co and Fiat Chrysler Automobiles NV, officials from Japanese and German automakers are also expected to attend. A White House official confirmed Trump plans to visit Michigan, but did not immediately confirm details.

Automakers have been pushing the Trump administration for months to reverse the Obama administration decision. The Environmental Protection Agency had until April 2018 to decide whether the standards were feasible under a "midterm review," but moved up its decision to a week before President Barack Obama left office in January.

Automakers argue the Obama era vehicle emissions rules, which would raise the fleet average fuel efficiency to more than 50 miles per gallon by 2025 from 27.5 mpg in 2010, will impose significant costs and are out of step with consumer preferences. They argue they need more

flexibility to meet the rules amid low gas prices.

Environmentalists, who favor the standards, say they will reduce fuel costs and greenhouse gases and have vowed to sue if the Trump administration weakens them.

Trade groups representing automakers, including GM, Volkswagen AG and Toyota Motor Corp, have asked the EPA to withdraw the determination finalizing the rules, which stem from a 2011 deal the industry reached with the U.S. government.

The Obama administration said in 2011 the changes would boost fuel efficiency to a fleetwide average of 54.5 mpg, save motorists \$1.7 trillion in fuel costs over the life of the vehicles and cost the auto industry about \$200 billion over 13 years.

In July, the EPA estimated the fleet would average only 50.8-52.6 mpg in 2025 under the rules because Americans were buying more SUVs and trucks and fewer cars.

(Reporting by David Shepardson; Editing by Chizu Nomiyama and Frances Kerry)

### **E&E News**

<http://www.eenews.net/climatewire/2017/03/13/stories/1060051319>

## **Pruitt: Congress should decide if agency can regulate CO2**

By Niina Heikkinen 3/13/17

Scott Pruitt wants Congress — not his own agency — to decide whether U.S. EPA has the power to regulate greenhouse gases.

Last week, the new EPA administrator caused an uproar when he told CNBC's "Squawk Box" that he did not believe carbon dioxide was a main contributor to climate change. What has gotten less attention was his suggestion that Congress should have a say in whether EPA should regulate carbon dioxide and other greenhouse gases in the first place.

"Nowhere in the equation has Congress spoken," Pruitt noted. "The legislative branch has not addressed this issue at all. It's a very fundamental question to say, 'Are the tools in the toolbox available to the EPA to address this issue of CO2, as the court had recognized in 2007, with it being a pollutant?'"

Writing new legislation could be the fastest and easiest way for the Trump administration to roll back federal regulations addressing climate change, said Deborah Sivas, an environmental law professor at Stanford University.

"The chances of getting this Congress to roll back the Clean Air Act are pretty good, I think," she said.

So far, much of the attention has been focused on how the Trump administration might roll back

environmental regulations, the workhorses that carry out the legal actions laid out by legislation. But rewriting regulations isn't easy. It requires a whole rulemaking process, complete with a public comment period to put it in place.

These new regulations would also be more vulnerable to legal challenges if the administration fails to show evidence that greenhouse gases are not air pollutants. The Supreme Court upheld that EPA should regulate these pollutants in *Massachusetts v. EPA*, Sivas noted.

But taking a legislative approach gets around all this. Congress could instead simply change the definition of an air pollutant to exclude carbon dioxide and other greenhouse gases, which would have trickle-down effects on a range of federal regulations from the Clean Power Plan to fuel economy standards.

"Almost 50 years of improvements under our existing set of environmental laws could evaporate pretty quickly. You can just change a definition with a sentence or two and [CO<sub>2</sub>] is not covered," she said.

### **'Congress should deal with it once and for all'**

While such legislation has been attempted in the past — Sen. Jim Inhofe (R-Okla.) put his support behind the Energy Tax Prevention Act in 2011 — there has been always been some check in either Congress or the White House to keep it from passing.

This Congress and administration could be the exception, according to Sivas.

"The crazy part is they have a Republican majority that is farther right and this crazy White House — who knows what they will do — but they have been pretty clear that they will go against climate change. I think that's the thing that is worrying people a lot," Sivas said.

The House has already put forward a new piece of legislation, the "Stopping EPA Overreach Act," amending the Clean Air Act to exclude methane and carbon dioxide, among other gases, from the definition of "air pollutant" (*E&E News PM*, March 10).

Steve Milloy, a longtime foe of EPA who served on the agency's transition team, said it would be a good idea for Congress to weigh in on whether EPA should regulate greenhouse gases.

"I think a lot of people will think Trump is running EPA now, we won't have any more climate regulations, so we don't need to do anything. But as long as EPA has that authority, they can come back and do it, so Congress should deal with it once and for all," he said.

But Milloy isn't sure whether changing the rules for greenhouse gases will be an immediate priority, or even whether Republicans could garner the votes to pass the changes.

"Can Congress do it? Well, they have so many other things to do, I don't know," Milloy said.

"I don't even know if it's on their calendar, I don't think enough people have thought enough

about it," he added.

## **Reuters**

<http://www.reuters.com/article/usa-trump-budget-idUSL2N1GP0PE>

### **Trump budget opens new fight among Republicans**

By Richard Cowan and Roberta Rampton 3/13/17, 7:00AM

Republican U.S. Representative Todd Rokita keeps a clock hanging on the wall of his Capitol Hill office that tracks the U.S. government's rising debt in real time and reminds him of his top priority: reining in federal spending.

"I was sent here on a fiscal note," said the Indiana lawmaker and vice chairman of the House of Representatives Budget Committee, who rode a Republican wave during his first election to Congress in 2010.

When President Donald Trump unveils his budget for the 2018 fiscal year on Thursday, Rokita will be among many conservative Republicans cheering proposed cuts to domestic programs that would pay for a military buildup.

More moderate Republicans are less enthusiastic and worry Trump's budget could force lawmakers to choose between opposing the president or backing reductions in popular programs such as aid for disabled children and hot meals for the elderly.

"What you would hope is that the administration is aware of the difficulty of some of these things," said Representative Tom Cole of Oklahoma.

The release of Trump's budget, which comes as the Republican president is facing an intraparty revolt over proposed legislation to replace the Obamacare healthcare law, could open another fight among Republicans who control both houses of Congress. To keep the government running, lawmakers will need to approve a spending plan later this year.

The White House has released few details about Trump's budget, other than making clear the president wants to boost military spending by \$54 billion and is seeking equivalent cuts in non-defense discretionary programs.

But several agencies, including the State Department and the Environmental Protection Agency, have been asked to prepare scenarios for steep reductions, according to officials familiar with the discussions.

While supporting deficit-reduction efforts, Cole said a major research university in his district could get hit by National Institutes of Health cuts, as could sewage treatment facilities funded by the EPA.

Republican Senator Rob Portman, whose home state of Ohio sits on the southern shores of Lake Erie, expressed concern about media reports saying the Trump budget had penciled in sharp cuts in a cleanup program for the Great Lakes.

## NOT AUSTERE ENOUGH

While Rokita, who was among a group of Republican lawmakers who met with Trump last week, appeared comfortable with what he had learned so far about Trump's budget, some Republican members of the conservative House Freedom Caucus said they wanted to see even further budget cuts.

Representative Mo Brooks of Alabama said the outcry from lawmakers over the expected cuts underscored to him that the blueprint would be a "a very large step in the right direction" of reining in the debt.

Brooks added: "My fear is that the Trump budget will not be austere enough to minimize America's risk of suffering the kind of debilitating insolvency and bankruptcy that is destroying the lives of Venezuelans right now."

OPEC member Venezuela is immersed in a deep economic crisis, with inflation in triple digits, shortages of basic goods, and many people going hungry.

Brooks and other members of the Freedom Caucus are among the most vocal critics of the legislation backed by the White House to repeal and replace the Affordable Care Act, former Democratic President Barack Obama's signature healthcare plan, known as Obamacare.

To try to woo the conservative lawmakers on Trump's legislative agenda, budget director Mick Mulvaney, himself a former member of the House Freedom Caucus, has invited them to a bowling and pizza night at the White House on Tuesday night.

Another Freedom Caucus member, Representative David Schweikert of Arizona, said Mulvaney was encouraging lawmakers to submit maverick fiscal ideas to the White House.

Schweikert said he hoped to revive a proposal from a few years ago, in the midst of a fight over raising the U.S. debt limit, that would have allowed the government to take a series of alternative, albeit controversial steps, such as paying some creditors ahead of others.

## 'SLASH AND BURN'

One senior Republican aide, who referred to Trump's budget as a "slash and burn" proposal, said one fear of some House lawmakers was that they would be pressured to back big spending cuts only to have them rejected by the Senate, where Republicans hold a slimmer majority. The risk for House members is that their votes could prompt a backlash in the 2018 congressional elections.

Senate Majority Leader Mitch McConnell has said a budget that cuts State Department funds by one-third is unlikely to pass in his chamber.

Other high-ranking Republicans are setting off alarms.

Senator Lindsey Graham, following a White House lunch on Tuesday with Trump, said: "What I told him is that when we get in a deadlock between the House and the Senate, different factions of the party ... you're the guy who needs to come down and close the deal."



Cole said Congress would ultimately have the final say on the budget.

“At the end of the day, we’ll have a budget. We’ll pass the budget,” he said. “Our budget is not necessarily the president’s budget.”

(Reporting by Richard Cowan and Roberta Rampton; Editing by Caren Bohan and Peter Cooney)

## **BNA**

[http://esweb.bna.com/eslw/1245/split\\_display.adp?fedfid=106896172&vname=dennotallissues&wsn=49990400](http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=106896172&vname=dennotallissues&wsn=49990400)

### **Volkswagen Pleads Guilty in U.S. Emissions-Cheating Scandal**

By Jamie Butters, Steven Raphael and Margaret Cronin Fisk 3/13/17

Volkswagen AG pleaded guilty to misleading U.S. regulators and customers by hiding emission levels on diesel vehicles and obstructing investigators, but a federal judge said he wasn't yet comfortable in approving a \$4.3 billion sentencing agreement (*United States v. Liang, E.D. Mich., No. 2:16-cr-20394, 2/23/17*).

VW entered the formal plea in Detroit federal court March 10 as it agreed to do two months ago as part of a \$4.3 billion deal to settle claims over the emissions scandal. Under the agreement with the U.S. government, VW would pay a \$2.8 billion fine and \$1.5 billion in civil penalties.

The German automaker continues to wrestle with the fallout from its September 2015 admission that it rigged as many as 11 million diesel vehicles worldwide to cheat on emissions tests. It has set aside \$23.9 billion to cover cheating-related expenses, with the largest share going to compensate U.S. consumers. The company still faces investor lawsuits in the U.S. and in Germany, as well as consumer lawsuits and a criminal probe in Germany.

U.S. District Judge Sean Cox accepted the plea, but said in light of the “very, very serious” offenses, he wasn't comfortable approving the sentencing agreement immediately. “I just want more time to reflect and study” he said, adding that he will refer the case to the probation office for a report prior to the sentencing hearing.

Sentencing was put off until April 21.

### Acted Swiftly

In arguing for the judge to accept the sentencing deal, VW's lawyer Jason Weinstein said the company has acted swiftly to make things right with its customers, dealers and the U.S. Environmental Protection Agency. The automaker resolved those cases before the criminal settlement and it directed the law firm investigating the matter to share findings with the government “essentially in real time,” allowing for swift prosecution of individual employees, he said.

As part of the deal with the U.S., VW would be on probation and under an independent monitor for three years.

“Volkswagen deeply regrets the behavior that gave rise to the diesel crisis,” the company said in an emailed statement after the hearing. “The agreements that we have reached with the U.S. government reflect our determination to address misconduct that went against all of the values Volkswagen holds so dear.”

So far, seven people have been charged with crimes for their alleged roles in the emissions scheme. Oliver Schmidt, the company's liaison with U.S. regulators, pleaded not guilty to charges of fraud and conspiracy in Detroit federal court on Feb. 24. Schmidt, a German national who has been in custody since his arrest in January, is expected to ask to be released on bond at a hearing March 16.

Schmidt was indicted along with Heinz-Jacob Neusser, former head of engine development who was suspended in 2015; Richard Dorenkamp, who led the failed effort to design a diesel engine that would meet the tougher emissions standards the U.S. adopted for 2007; Jens Hadler, who led engine development from 2007 to 2011; Bernd Gottweis, who was responsible for quality management from 2007 to 2014; and Jurgen Peter, a VW liaison with U.S. regulators during the months when they were growing more suspicious.

## Florida Vacation

Schmidt was arrested while on vacation in Florida. The other five have stayed in Germany, where they are protected from extradition.

A seventh defendant, VW engineer James Liang, pleaded guilty in September to conspiring to defraud U.S. regulators and consumers. Liang, who spent 25 years with Volkswagen in Wolfsburg before moving to the U.S. in 2008, was involved in creating a defeat device so cars with 2.0-liter diesel engine could pass emissions tests. He's cooperating with prosecutors.

## **BNA**

[http://esweb.bna.com/eslw/1245/split\\_display.adp?fedfid=106896173&vname=dennotallissues&wsn=49989950](http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=106896173&vname=dennotallissues&wsn=49989950)

## **Biofuel Changes Threaten Advanced Fuel Development: Producers**

By Brian Dabbs 3/13/17

A biofuel legislative overhaul will exact particular damage on cellulosic and other advanced fuels despite lawmaker contentions to the contrary, advanced fuel producers say as overhaul negotiations begin to take shape.

Those producers are urging Congress to leave the current renewable fuel standard intact to safeguard the development of cellulosic fuels, which are derived from the often-wasted, non-edible parts of plants such as corn.

But House leadership is pressing lawmakers to push overhaul legislation forward, and a bill introduced in recent days (H.R. 1315) has more than 40 House members from both sides of the aisle on board.

That bill—who chief sponsors include Bob Goodlatte (R-Va.), Jim Costa (D-Calif.), Steve Womack (R-Ark.) and Peter Welch (D-Vt.)—would require the Environmental Protection

Agency to set cellulosic biofuels at current production levels, while eliminating traditional corn-based ethanol requirements and capping the amount of total ethanol blended into U.S. transportation fuel at 10 percent.

The sponsors are seeking swift action, but the RFS is a controversial program that often pits corn-state representatives against other industries, such as petroleum and livestock. Past attempts to modify the program have failed, and experts generally view the Senate—where lawmakers from ethanol states carry considerable clout—as a firewall against changes.

### A Litany of RFS Complaints

Critics of the biofuel mandate say it raises corn prices for consumers, retailers and livestock producers. Environmental groups are also increasingly criticizing the program, saying that corn-based ethanol does not reduce greenhouse gas emissions.

The RFS program, which was made law in 2005 and expanded in 2007, sets annually increasing biofuel quotas. The goal of the program was to decrease hydrocarbon emissions and reduce dependence on foreign oil. Nearly all transportation gasoline in the U.S. now contains 10 percent ethanol.

The EPA announced in recent months that refiners need to mix 19.28 billion gallons of renewable fuel into the U.S. gasoline and diesel supply in 2017, including up to 15 billion gallons of traditional, corn-based ethanol. The EPA must still, however, finalize those figures.

Refiners and importers must blend biofuels or purchase biofuel credits, known as Renewable Identification Numbers, to comply with the mandate.

### Cellulosic Jeopardy: Producers

Proponents of cellulosic and other so-called “next generation” fuels say that unlike corn ethanol,

advanced biofuels have extremely low greenhouse gas emissions and generally do not use feedstocks that could otherwise be used for food.

The newly introduced bill, along with other legislative ideas that incorporate an aggregate biofuel cap, directs the EPA to set cellulosic standards based on recent production, which is far short of the levels Congress prescribed in statute.

“[The Renewable Fuel Standard] sets the market as designed,” Brooke Coleman, executive director of the Advanced Biofuels Business Council, told Bloomberg BNA, referring specifically to the cellulosic market. “Re-engineering it to reflect the market is the equivalent of neutering the RFS.”

The current proposed 2017 quota for cellulosic biofuels is 311 million gallons, which is dramatically below the 5.5-billion-gallon threshold outlined by Congress. But the 311 million figure is more than nine times 2014 levels, and Coleman said those quotas largely reflect actual production levels.

An EPA proposal based on current production would, therefore, act as a de facto cap on cellulosic production, Coleman said. “If you're coming on next year with a new production facility, than you wouldn't get counted. Each expected rule would leave new production coming online in the dark,” he said. “The purpose of the standard to drive the market and increase production levels.”

A new, DuPont Industrial Biosciences cellulosic production facility, meanwhile, is set to begin producing its first fuel in months, Jan Koninckx, global business director for biofuels at the company, told Bloomberg BNA. “We are also actively engaged in defending the Renewable Fuel Standard and look to policymakers and regulators to enact the RFS as was originally envisioned,” he said.

## Investment Concerns

Uncertainty in the biofuel market, drawn primarily from the EPA's failure to issue RFS quotas

from 2014-2016, forced a substantial amount of cellulosic investment overseas, James Greenwood, president Biotechnology Innovation Organization and a former member of Congress, told a House Agriculture subcommittee March 9.

Confidence in the cellulosic market had returned in recent months until news reports shed light on an apparent plan to change the compliance structure of the biofuel mandate in late February, Greenwood told the subcommittee.

“What's necessary is stability. The investors invested in this program and in these plants on the basis of a promise Congress made when it passed the law originally,” Greenwood said. “The most important thing Congress needs to do is nothing. Leave the RFS alone.” That lost investment is going to cellulosic production in China and Brazil, Coleman said.

#### House Members Beg to Differ

The mandate, however, is laden with pitfalls, and changes are necessary to bring stability back to corn prices, some lawmakers say.

A spokeswoman for Welch said he supports advanced cellulosic biofuels and aims to secure a “strong outcome” for those products in pending changes to the law.

“There is a lot of uncertainty in this market. The way to create more certainty in the market is to push more investment towards cellulosic and advanced biofuel,” she said.

#### **Politico Pro**

<http://www.politico.com/tipsheets/morning-energy/2017/03/clean-power-plan-order-coming-any-day-now-219191>

#### **Clean Power Plan order coming any day now**

By Anthony Adragna 3/13/17, 10:00AM

**ANY DAY NOW:** President Donald Trump is expected to sign a long-anticipated executive order beginning the process of rolling back EPA's landmark Clean Power Plan early this week, a person familiar with the timing tells ME. Details of exactly what it'll say have remained close to the White House's vest, though EPA Administrator Scott Pruitt said last week he won't defend the Obama administration regulation in court — hardly a surprising statement since he sued to block the rule as Oklahoma attorney general. Pruitt also told CNBC last week to expect action to reconsider car emissions standards "very soon" and said the process that led to their development was rushed.

**'Skinny' budget coming:** Also expected this week is the release of the Trump administration's so-called "skinny budget," which will likely call for deep cuts in discretionary spending throughout the federal government. But lawmakers and interest groups have already expressed concerns over some of the rumored cuts to their favorite pet programs, so we'll get a sense for whether the administration is backing off a bit with its blueprint.

**CALL HIM EPA ADMINISTRATOR LEONIDAS:** The recent uptick in activist call-a-thons to lawmakers' offices over controversial issues has expanded to EPA Administrator Scott Pruitt. The agency told ME that Pruitt's office received about 300 calls on Thursday and Friday regarding his comment on national TV that carbon dioxide is not "a primary contributor to the global warming that we see." The effort appears to have been built through social media rather than organized by an environmental group, and judging by posts over the weekend, those calls are likely to continue this week. Of course, 300 isn't a huge amount by Washington standards — Sen. Tom Carper said last month he was called by more than 2,000 Delawareans who opposed Pruitt's nomination — but it's definitely more than EPA is used to receiving. It took ME seven tries on Friday afternoon before making it through to a person.

**MARK YOUR CALENDARS:** The D.C. Circuit Court of Appeals has scheduled oral arguments over EPA's mercury rule "fix" for May 18. The fix, also known as the supplemental finding, was aimed at addressing the Supreme Court's 2015 ruling that EPA should have considered the costs when it first decided it was "appropriate and necessary" to regulate mercury emissions from power plants. The mercury rule took full effect last year, but opponents are still hoping to get it tossed out, which would nullify the rest of the rule. It also threatens to open up a major court battle about the government's use of "co-benefits" to justify the costs of a regulation. The Trump administration has made no move — yet — before the court to indicate a policy reversal in this suit.

**ANOTHER INHOFE STAFFER TO EPA:** Mandy Gunasekara is heading to EPA as a senior

policy adviser in the administrator's office, she confirmed to ME. She'll leave her post as majority counsel for the Environment and Public Works Committee, Bloomberg BNA reported the news first.

## **E&E News**

<http://www.eenews.net/eedaily/2017/03/13/stories/1060051321>

### **Order to repeal Obama climate rule expected tomorrow**

By Robin Bravender 3/13/17

President Trump is expected to formally begin dismantling the Obama administration's signature climate change rule this week.

The president will likely sign an "energy independence" executive order tomorrow aimed at repealing the Clean Power Plan — a rule to limit power plants' greenhouse gas emissions — according to a source close to the Trump administration late last night.

The move has been widely expected after Trump repeatedly vowed to overturn the rule. His pick to lead U.S. EPA, former Oklahoma Attorney General Scott Pruitt (R), made a name for himself fighting that and other environmental rules in court.

Trump was slated to sign the order last week, but its release was pushed back. A White House spokeswoman did not immediately respond to a request for comment about the timing or contents of the expected directive.

In addition to the Clean Power Plan, Trump's order could also affect other rules from EPA or the Interior Department that affect energy production, according to the source close to the administration.

The White House was rumored to be considering including language to repeal the coal-leasing moratorium on federal lands, and some stakeholders speculated that the order could be even broader to direct the repeal of additional Obama administration environmental rules.

Trump is planning to sign at least one executive order later today, according to the White House. It's titled "Comprehensive Plan for Reorganizing the Executive Branch," which could mean sweeping changes for the federal government, although the White House didn't provide specifics about its plans.

## **The Hill**

<http://thehill.com/policy/energy-environment/323456-week-ahead-agencies-brace-for-trump-budget>

### **Agencies brace for Trump budget**



By Devin Henry 3/13/17, 6:00AM

The White House is due to release its budget outline in the coming week, and it's expected to confirm, for the first time, reports of deep cuts to federal environment and climate programs.

The budget, the first of Donald Trump's presidency, will contain \$54 billion in domestic non-discretionary spending cuts that will then be used to pay for an equal increase in defense spending, officials said last month.

That means his budget writers will likely look to slash spending for — among other things — energy and environment programs throughout the government.

Leaks have already previewed some of the cuts. The Environmental Protection Agency, (EPA) an \$8.1 billion department, is expected to absorb a 24 percent cut under Trump's budget, and several key programs are due to be zeroed out, including those implementing the Clean Power Plan regulation, the Energy Star energy efficiency program, grants for the Brownfields program, and many others.

The proposed cuts are causing turmoil in the agency and among stakeholders.

Mustafa Ali, the head of the agency's environmental justice program, resigned on Thursday when it appeared his department would be defunded.

A group of mayors urged EPA chief Scott Pruitt last month to protect state grant programs, something Pruitt himself said he would push the White House to do.

But the EPA isn't the only agency with climate programs expected to see cuts. The National Oceanic and Atmospheric Administration could face a 17 percent cut, which could mean \$126 million less in research funding and \$513 million less for its satellite division.

The administration has reportedly considered deep cuts to Department of Energy programs, as well, and NASA's Earth science budget, which conducts climate change research, could absorb a cut, too.

The Interior Department could see proposed cuts, as well, so much so that new Interior Secretary Ryan Zinke told agency employees this month that he's "not happy" with the funding proposal.

Trump's budget — due out on Thursday — is not the final word in federal government spending. Congress still needs to vet the budget and write its own appropriations bills, and members have already expressed concern about many of the reported cuts, for the EPA and other agencies.

But the budget will lay out how Trump and his White House envision managing the federal ledger, and it will set up a major fight with lawmakers in both parties.

The coming week could also bring Trump's long-awaited executive orders on climate change. He is still expected to sign an order asking the EPA to reconsider the Clean Power Plan carbon rules, as well as address an Obama administration coal-leasing moratorium. A potential order on the Paris climate deal is still pending, as well.

On Capitol Hill, three committees will hold hearings on energy infrastructure issues in the week ahead. The Senate Energy and Natural Resources kicks things off with a hearing on Tuesday, followed by a meeting of a House Energy and Commerce subpanel on Wednesday. Then on Thursday, another Energy and Commerce subcommittee will discuss potential drinking water infrastructure improvements.

Elsewhere, the Senate Environment and Public Works committee will hold a hearing on invasive species and conservation on Wednesday.

### **The Hill**

<http://thehill.com/policy/energy-environment/323527-scott-pruitt-faces-flood-of-phone-calls-after-casting-doubt-on>

### **EPA phones ring off the hook after Pruitt's remarks on climate change: report**

By Max Greenwood 3/11/17, 10:23AM

The Environmental Protection Agency (EPA) faced a massive influx of phone calls Friday after EPA Administrator Scott Pruitt questioned the scientific consensus on climate change, The Washington Post reported on Saturday.

The agency got so many calls that by Saturday morning, callers were left with a notification that the system's voice mailbox was full and could not accept any more messages, according to The Post.

Pruitt claimed during an interview on MSNBC's "Squawk Box" that carbon dioxide emissions were not definitively responsible for contributing to climate change and questioned whether human activity was linked to the phenomenon.

"I think that measuring with precision human activity on the climate is something very challenging to do, and there's tremendous disagreement about the degree of impact," Pruitt said. "So no, I would not agree that it's a primary contributor to the global warming that we see."

Climate scientists, as well as NASA and the National Oceanic and Atmospheric Administration, almost unanimously agree that human activity — and CO2 and other greenhouse gas emissions resulting from that activity — are responsible for rapid changes in the Earth's climate.

Pruitt, the former attorney general of Oklahoma, was confirmed to lead the EPA last month, a move fiercely opposed by environmental and conservation groups.

During his tenure as Oklahoma's top law enforcement official, Pruitt sued the EPA more than a dozen times, and has said that he will aim to undo numerous environmental regulations — a position echoed by President Trump.

Pruitt isn't the only government official to be inundated with phone calls. Many Republican lawmakers have faced similar floods of calls expressing concern and opposition to Trump's policies.

But calls to elected officials are relatively common, while agency heads rarely face the same kind of outreach from the public.

Katherine So

Office of Media Relations Intern

U.S. Environmental Protection Agency

Telephone: (202)-564-4511

[so.katherine@epa.gov](mailto:so.katherine@epa.gov)

**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:17:36 PM  
**Subject:** RE: Doug Ericksen

Thanks.

He is on the way.

Ericksen

**From:** Fugh, Justina  
**Sent:** Wednesday, March 15, 2017 1:17 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Fort, Daniel <Fort.Daniel@epa.gov>  
**Subject:** RE: Doug Ericksen

Dan Fort, copied here, who can also be reached at 564 2200.

**From:** Ericksen, Doug  
**Sent:** Wednesday, March 15, 2017 1:01 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Doug Ericksen

Justina,

Who should I contact to help me finish off my New Entrant Report on Integrity?

Doug Ericksen

**To:** bangerter.layne@epamail.epa.gov[bangerter.layne@epamail.epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 2:49:35 PM  
**Subject:** Ericksen--blurb for release

Layne,

Good morning. Did you get a chance to send me a blurb for the first release on the beachhead members?

Also, would you like to do a more extensive release for back home?

Ericksen

**To:** Jim Brunner[jbrunner@seattletimes.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 10:34:42 PM  
**Subject:** RE: person wanting to contact you

Thanks for passing on.

EPA Ethics is working on a more formal piece.

Ericksen

**From:** Jim Brunner [mailto:jbrunner@seattletimes.com]  
**Sent:** Wednesday, January 25, 2017 5:10 PM  
**To:** Personal; ericksen.doug@epamail.epa.gov  
**Subject:** person wanting to contact you

Doug,

Hello. Two things.

1/ Still looking for that lawyer letter or info when you get it.

2/ Also, I don't always pass on this sort of thing, but this guy seemed reasonable. He called wanting to make contact with you or Don Benton. His organization is affiliated with Bill Ruckelshaus. I said I could not pass along your contact info, but would consider passing his info along as a courtesy. So here is:

[richinnes@merid.org](mailto:richinnes@merid.org)

Rich Innes

Senior Fellow, Meridian Institute

1800 M Street NW, Suite 400 N

Washington, DC 20036 United States

+1.202.354-6457 office

**Personal Phone/Ex. 6** mobile

[www.merid.org](http://www.merid.org)

**Jim Brunner | Seattle Times Political Reporter**

phone 206-515-5628 | cell: **Personal**

[http://twitter.com/Jim\\_Brunner](http://twitter.com/Jim_Brunner)



**To:** Ex. 6 Personal Email (Doug Ericksen)  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 4:07:16 PM  
**Subject:** benton

**TO:** President Trump Administration Team  
**FROM:** EPA Transition Team Members  
**DATE:** March 14, 2017  
**RE:** Senior White House Advisor Don Benton

On January 21 ten members of the EPA transition team took the oath of Federal office and officially got to work making American great again.

Perhaps more than any other agency or department, the transition team was viewed from within and on the outside as a beachhead team entering hostile territory. Media and special interest groups made the EPA transition the focus of attention.

Under the leadership of Don Benton, our team of 10 functioned as a unit. We worked to implement the President's action plan for the EPA while working with the career professionals at the Agency to keep the wheels turning.

During the first 4 weeks of the transition Don Benton organized a group of people who had never met before into a team with a solid mission—serve the President and make him proud of the work we are doing.

Each member of the transition team knew that Don Benton had their back and that he would work hard to help them be successful. The success of the EPA transition team leading up to the confirmation of Administrator Pruitt was in many ways attributable to the leadership of Mr. Benton.

Don also developed a strong positive relationship with the career professionals at the EPA. It was not, and still is not, an easy area to navigate. There are clear differences between the philosophy of President Trump and his predecessor. These differences often escalated to tensions that Don was able to manage and smooth over.

We write this letter to let you know the respect we have for the job done by Don Benton in the first month of the transition. He served his President and the EPA well as the Senior White House Advisor and continues to do so today.

Sincerely,

**To:** Konkus, John[konkus.john@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:14:02 PM  
**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

Very cool.

I am very glade that you put that out.

ericksen

**From:** Konkus, John  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

Yup ☺

**From:** Ericksen, Doug  
**Sent:** Wednesday, March 15, 2017 1:11 PM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

Is this going out as official response with your name for the quote?

ericksen

**From:** Konkus, John  
**Sent:** Wednesday, March 15, 2017 1:09 PM  
**To:** [Emily.Flitter@thomsonreuters.com](mailto:Emily.Flitter@thomsonreuters.com); Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>

**Cc:** Press <Press@epa.gov>

**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

“Administrator Pruitt’s comments are perfectly in keeping with the scientific integrity policy. There is an ongoing scientific debate on climate change, its causes and its effect. That debate should be encouraged as the Administrator has done, not discouraged as Sierra Club is attempting to do.” – John Konkus

**From:** Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]

**Sent:** Wednesday, March 15, 2017 12:41 PM

**To:** Ericksen, Doug <ericksen.doug@epa.gov>; Konkus, John <konkus.john@epa.gov>

**Subject:** URGENT - Reuters story on Sierra Club investigation letter - comment?

Hi,

I’m a reporter for Reuters in New York writing a story today about the Sierra Club’s letter to the EPA OIG yesterday asking the IG to investigate Administrator Pruitt’s March 9 comments on CNBC. As you know, Mr. Pruitt said he did not believe carbon dioxide was a major contributor to climate change. The Sierra Club argues in its letter this is a violation of the EPA’s 2012 Scientific Integrity Policy ([https://www.epa.gov/sites/production/files/2014-02/documents/scientific\\_integrity\\_policy\\_2012.pdf](https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf)). I’m writing a story describing this request for an investigation. Does the EPA have a comment, please? My deadline is ASAP. You can reach me at Personal Phone/Ex. 6

Thanks and best regards,

Emily

Emily Flitter  
Correspondent

Thomson Reuters

Phone: 1 646 223 6310  
@FlitterOnFraud  
thomsonreuters.com



**To:** Greaves, Holly[greaves.holly@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 1:28:50 PM  
**Subject:** RE: Bio

Go it

-----Original Message-----

From: Greaves, Holly  
Sent: Sunday, January 22, 2017 11:04 AM  
To: Ericksen, Doug <ericksen.doug@epa.gov>  
Subject: Bio

Hi Doug, feel free to edit or shorten as needed. Thanks!

Holly Greaves has a strong background in government accounting and Federal financial management, and extensive knowledge of Federal financial and IT environments. Ms. Greaves previously worked as a senior manager with the public accounting firm KPMG, where she spent the last eight years providing auditing services to Federal entities. At KPMG she was a lead developer for industry-specific training content for KPMG's Federal audit practice. Prior to joining KPMG, Ms. Greaves was an auditor with the public accounting firm EY, where she audited public and private companies in the transportation, financial services, commercial real estate, and healthcare industries. Ms. Greaves has served as a supporting lecturer for a government accounting course at George Washington University's Master's of Accountancy program and is on the finance committee of the D.C. Youth Orchestra Program board. She is a licensed CPA, CISA, and CGFM.

**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 9:39:23 PM  
**Subject:** Re: can u confirm grant freeze will end this week?

I could say yes that as of now that is true  
But we are reviewing page for changes.

Sent from my iPhone

On Jan 25, 2017, at 4:25 PM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

Awesome, thanks

And can you confirm that as things stand now there are NOT changes planned to the climate change/greenhouse gas data portions of the website?

On Wed, Jan 25, 2017 at 4:24 PM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Yes. Release pending

Sent from my iPhone

On Jan 25, 2017, at 4:08 PM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

or next?

tk

cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport



**To:** Davis, Patrick[davis.patrick@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 4/24/2017 5:17:18 PM  
**Subject:** Re: EVRAZ and EPA

Will see what I can do. What is your current EPA status?  
Doug

Sent from my iPhone

On Apr 24, 2017, at 5:34 AM, Davis, Patrick <[davis.patrick@epa.gov](mailto:davis.patrick@epa.gov)> wrote:

Hi Doug,

I am sharing this with you in the hopes that you can stick your nose into it in region 10.

Thanks,

Patrick Davis

EPA

Special Assistant to the Administrator

202-564-3103 office

202-380-8341 cell

Information sent to this email address may be subject to FOIA.

**From:** Patrick Davis [<mailto:patrickdavis86@yahoo.com>]  
**Sent:** Wednesday, April 5, 2017 7:52 AM  
**To:** Davis, Patrick <[davis.patrick@epa.gov](mailto:davis.patrick@epa.gov)>  
**Subject:** Fwd: EVRAZ and EPA

Pardon the brevity, sent from my iPhone

Begin forwarded message:

**From:** Sean Duffy <[sean@shamrockstrategies.com](mailto:sean@shamrockstrategies.com)>  
**Date:** April 3, 2017 at 1:13:41 PM MDT  
**To:** Patrick Davis <[Personal Email/Ex. 6](#)>  
**Subject:** EVRAZ and EPA

Hey Patrick --

Hope all is well out in the swamp. You guys are really doing a great job keeping your eyes on the prize at EPA

Awhile back, I mentioned that there is an issue regarding EVRAZ (the owner of the Pueblo steel mill that also has facilities in Portland Harbor) Attached is a backgrounder as well as a sense of how EPA could help address this issue which was a last minute out the door effort by the Obama people.

Take a peek and let me know what you think and what additional information we can provide.

PS I am going to be in DC April 26-28 for the AEI Leadership Network meeting. Would be happy to buy you a drink or lunch or whatever if you have any time.

Cheers and thanks

Sean

--

Sean Duffy  
President  
Shamrock Strategies LLC  
303-718-9049  
[sean@shamrockstrategies.com](mailto:sean@shamrockstrategies.com)

<EVRAZ -Portland harbor March 2017\_.pdf>

**To:** ethics[ethics@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:12:44 PM  
**Subject:** RE: Doug Ericksen

Perfect.

See you then.

Doug Ericksen

Rm 3312

**From:** ethics  
**Sent:** Wednesday, March 15, 2017 1:12 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>; ethics <ethics@epa.gov>  
**Subject:** RE: Doug Ericksen

How about if I come to your office at 1:30PM? Where is your office?

**From:** Ericksen, Doug  
**Sent:** Wednesday, March 15, 2017 1:09 PM  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Subject:** RE: Doug Ericksen

Today or tomorrow works for me.

I am here the rest of today.

Doug

**From:** ethics  
**Sent:** Wednesday, March 15, 2017 1:06 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Cc:** Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)>  
**Subject:** RE: Doug Ericksen

I'd be happy to help you. I can come to your office or we can Skype. I'm in tomorrow and telecommuting on Friday.

Dan Fort

564-2200

**From:** Ericksen, Doug  
**Sent:** Wednesday, March 15, 2017 1:00 PM  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Subject:** Doug Ericksen

I need some assistance finishing my New Entrant Report.

Doug Ericksen

202-379-6084

**From:** Ericksen, Doug  
**Location:** Administrator's Office  
**Importance:** Normal  
**Subject:** Accepted: Bagels with Beach Head Team - Principals/Invitees Only  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Mon 1/23/2017 3:00:00 PM  
**End Date/Time:** Mon 1/23/2017 4:00:00 PM

**To:** Robin Bravender[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 5:11:34 PM  
**Subject:** Re: Meeting Thursday morning?

You ok meeting at elephant and castle? I need to get some lunch.

Sent from my iPhone

On Feb 16, 2017, at 8:40 AM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Great, let's plan on 1 pm at the Trump Hotel Starbucks. Thanks!

Robin Bravender  
Environment & Energy Publishing  
Desk: 202-446-0410  
Mobile: Personal Phone/Ex. 6

On Feb 16, 2017, at 8:32 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

We can meet at the Starbucks in the Trump Hotel today. I am free till 11. And then I am free from 1-2.

Doug

**From:** Robin Bravender [<mailto:rbravender@eenews.net>]  
**Sent:** Wednesday, February 15, 2017 9:51 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Re: Meeting Thursday morning?

Let's reschedule! Let me know a good time for you. I could meet Thursday afternoon, if that works for you.

Robin Bravender

Environment & Energy Publishing

Desk: 202-446-0410

Mobile: Personal Phone/Ex. 6

On Feb 15, 2017, at 8:58 PM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Hi Doug,

Please let me know if you still want to meet at 7 a.m. tomorrow. If I don't hear from you tonight, I'll assume we're off and we can reschedule for a time that's most convenient for you. I know you're having a hectic week!

Thanks!

Robin

**To:** Dickerson, Aaron[dickerson.aaron@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 1:47:56 PM  
**Subject:** RE: Weekly 1:00pm Senior Staff Meeting on Monday

Aaron,

Thanks for the email.

What is the new assignment?

Doug Ericksen

**From:** Dickerson, Aaron  
**Sent:** Monday, March 13, 2017 9:43 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Hale, Michelle <hale.michelle@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Weekly 1:00pm Senior Staff Meeting on Monday

Good morning Doug

Due to your new assignment within the agency and the large number of participants, you are no longer required to attend the weekly 1:00pm Senior Staff meeting on Monday. We have removed you from the meeting invitation but if you still see it on your calendar, please delete it.

Thank you.

Aaron Dickerson

Office of the Administrator



U.S. EPA

Phone: 202-564-1783

Fax: 202-501-1338

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 9:25:16 PM  
**Subject:** Re: Brady Dennis

I hate phone tag

Sent from my iPhone

On Jan 25, 2017, at 3:39 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

<image001.gif>  
Hi Doug,

Brady Dennis of the Washington Post is calling and trying to reach you. I think you may be playing phone tag.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**To:** David Schnare[Schnare@torcastlelaw.net]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 1:28:06 PM  
**Subject:** RE: Schnare bio

Got it

**From:** David Schnare [mailto:Schnare@torcastlelaw.net]  
**Sent:** Sunday, January 22, 2017 5:39 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Personal Email/Ex. 6  
**Subject:** Schnare bio

Doug:

This is my third try to get you something by email. If you want more than the below, let me know.

dschnare

David W. Schnare, Esq. Ph.D. Dr. Schnare is an attorney and environmental scientist returning to EPA having previously retired from a 41-year federal and state career as an Environmental Science and Management professional and attorney, 33 years of which he served at EPA. Most recently, he was associated with three law and policy centers, the Free-Market Environmental Law Clinic (Director), the Energy & Environment Legal Institute (General Counsel), and the Center for Environmental Stewardship at the Thomas Jefferson Institute for Public Policy (Director).

**To:** Konkus, John[konkus.john@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:11:09 PM  
**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

Is this going out as official response with your name for the quote?

ericksen

**From:** Konkus, John  
**Sent:** Wednesday, March 15, 2017 1:09 PM  
**To:** Emily.Flitter@thomsonreuters.com; Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: URGENT - Reuters story on Sierra Club investigation letter - comment?

“Administrator Pruitt’s comments are perfectly in keeping with the scientific integrity policy. There is an ongoing scientific debate on climate change, its causes and its effect. That debate should be encouraged as the Administrator has done, not discouraged as Sierra Club is attempting to do.” – John Konkus

**From:** [Emily.Flitter@thomsonreuters.com](mailto:Emily.Flitter@thomsonreuters.com) [mailto:[Emily.Flitter@thomsonreuters.com](mailto:Emily.Flitter@thomsonreuters.com)]  
**Sent:** Wednesday, March 15, 2017 12:41 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** URGENT - Reuters story on Sierra Club investigation letter - comment?

Hi,

I’m a reporter for Reuters in New York writing a story today about the Sierra Club’s letter to the EPA OIG yesterday asking the IG to investigate Administrator Pruitt’s March 9 comments on CNBC. As you know, Mr. Pruitt said he did not believe carbon dioxide was a major contributor to climate change. The Sierra Club argues in its letter this is a violation of the EPA’s 2012 Scientific Integrity Policy ([https://www.epa.gov/sites/production/files/2014-02/documents/scientific\\_integrity\\_policy\\_2012.pdf](https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf)). I’m writing a story describing this request for an investigation. Does the EPA have a comment, please? My deadline is ASAP. You can

reach me at Personal Phone/Ex. 6

Thanks and best regards,

Emily

**Emily Flitter**  
Correspondent

**Thomson Reuters**

Phone: 1 646 223 6310  
@FlitterOnFraud  
thomsonreuters.com

**To:** Alex Guillen[aguillen@politico.com]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 2:18:57 PM  
**Subject:** RE: Trump visit

Alex.

Still no details on our end about a visit by Pres. Trump to the EPA offices.

At the present time we anticipate a Senate confirmation vote on Friday. But that is, of course, up to the Senate.

Sorry I do not have more details to share.

Doug Ericksen

**From:** Alex Guillen [mailto:aguillen@politico.com]  
**Sent:** Thursday, February 16, 2017 9:11 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Trump visit

Hey Doug, know that it looks certain Pruitt's confirmation vote is tomorrow around 1, do you have any more details on Trump's visit? Will it happen tomorrow afternoon after the swearing-in, or next week?

Alex Guillén

Energy Reporter

POLITICO *Pro*

(o) 703.341.4619 | (c) Personal Phone/Ex. 6

[aguillen@politico.com](mailto:aguillen@politico.com) | @alexcguillen

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 1:27:24 PM  
**Subject:** Ericksen

David,

I am in the building today. You have a few minutes to catch up on a few items?

Ericksen



**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 9:24:36 PM  
**Subject:** Re: can u confirm grant freeze will end this week?

Yes. Release pending

Sent from my iPhone

On Jan 25, 2017, at 4:08 PM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

or next?

tk

cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport

**To:** ethics[ethics@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 3/15/2017 5:09:01 PM  
**Subject:** RE: Doug Ericksen

Today or tomorrow works for me.

I am here the rest of today.

Doug

**From:** ethics  
**Sent:** Wednesday, March 15, 2017 1:06 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Fort, Daniel <Fort.Daniel@epa.gov>  
**Subject:** RE: Doug Ericksen

I'd be happy to help you. I can come to your office or we can Skype. I'm in tomorrow and telecommuting on Friday.

Dan Fort

564-2200

**From:** Ericksen, Doug  
**Sent:** Wednesday, March 15, 2017 1:00 PM  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Subject:** Doug Ericksen

I need some assistance finishing my New Entrant Report.

Doug Ericken

202-379-6084

**To:** McCabe, Catherine[McCabe.Catherine@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**Cc:** Benton, Donald[benton.donald@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 1:24:42 PM  
**Subject:** RE: NANCY / GEORGE BNA Media Request: EPA Trump Team [WARNING: DKIM validation failed]

Good morning,

What a blustery day.

I received an inquiry from a reporter last week who seemed to have a complete list of names.

I also received an email from a reporter to my EPA email account on Sunday.

Looking forward to a busy day.

Ericksen

**From:** McCabe, Catherine  
**Sent:** Sunday, January 22, 2017 12:25 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Cc:** Ericksen, Doug <ericksen.doug@epa.gov>; Benton, Donald <benton.donald@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** Re: NANCY / GEORGE BNA Media Request: EPA Trump Team [WARNING: DKIM validation failed]

I notice that the reporter only has some of the names, so that rules out that anyone leaked the transition beachhead team list -- in case anyone is still worrying about that.

Sent from my iPhone

On Jan 22, 2017, at 12:20 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi Don and Doug,

Please see inquiry below -- her deadline is 8 p.m. this evening, for a story tomorrow morning in Energy and Environment. Since it will announce your team, we are thinking that it makes sense to get the all employee email out as early as possible tomorrow.

We also have media inquiries from Politico and Bloomberg regarding holds on any regulatory actions.

Please let us know how you would like to proceed. We are available for a conference call if you would like us to set one up.

Thanks

Nancy Grantham

**From:** "Leven, Rachel" <[rleven@bna.com](mailto:rleven@bna.com)>

**Date:** January 21, 2017 at

Hi, Julia.

I'm working on a story regarding a number of additional nominees/ team set to join the EPA for the Trump administration. So far, the names I've nailed down are Don Benton, Charles Munoz, David Kreutzer, David Schnare and George Sugiyama.

I wanted to give you a heads up that the story is coming, and reach out in case you'd be willing to talk in more specifics about the roles for each of these folks.

Either way, hope you're having a good weekend.

Best,

Rachel

[illegible]

**Rachel Leven**

Reporter

**Bloomberg BNA**

Direct 703.341.3778

Cell 571.319.7081

[rleven@bna.com](mailto:rleven@bna.com)

**To:** Robin Bravender[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 2:16:45 PM  
**Subject:** RE: Meeting Thursday morning?

Sounds good. See you there.

Ericksen

**From:** Robin Bravender [mailto:rbravender@eenews.net]  
**Sent:** Thursday, February 16, 2017 8:41 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Meeting Thursday morning?

Great, let's plan on 1 pm at the Trump Hotel Starbucks. Thanks!

Robin Bravender

Environment & Energy Publishing

Desk: 202-446-0410

Mobile: Personal Phone/Ex. 6

On Feb 16, 2017, at 8:32 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

We can meet at the Starbucks in the Trump Hotel today. I am free till 11. And then I am free from 1-2.

Doug

**From:** Robin Bravender [mailto:rbravender@eenews.net]  
**Sent:** Wednesday, February 15, 2017 9:51 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Re: Meeting Thursday morning?

Let's reschedule! Let me know a good time for you. I could meet Thursday afternoon, if that works for you.

Robin Bravender

Environment & Energy Publishing

Desk: 202-446-0410

Mobile: Personal Phone/Ex. 6

On Feb 15, 2017, at 8:58 PM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Hi Doug,

Please let me know if you still want to meet at 7 a.m. tomorrow. If I don't hear from you tonight, I'll assume we're off and we can reschedule for a time that's most convenient for you. I know you're having a hectic week!

Thanks!

Robin



**To:** jessica.e.ditto@ [REDACTED] **EOP/Ex. 6**  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 7:45:10 PM  
**Subject:** EPA transition

Jessica. Doug Ericksen here from EPA transition. I am lead on communications

Would like to talk when u can

Doug Ericksen  
202 379 6084

Sent from my iPhone

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/23/2017 1:21:50 PM  
**Subject:** RE: NANCY / GEORGE BNA Media Request: EPA Trump Team [WARNING: DKIM validation failed]

Good morning Nancy.

Doug Ericksen here. Could you stop by my office this morning when you have a chance to go over a few items.

What a blustery Monday morning. A great metaphor for the upcoming weeks.

Ericksen

Rm. 3312

**From:** Grantham, Nancy  
**Sent:** Sunday, January 22, 2017 12:21 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>; Benton, Donald <benton.donald@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Fw: NANCY / GEORGE BNA Media Request: EPA Trump Team [WARNING: DKIM validation failed]

Hi Don and Doug,

Please see inquiry below -- her deadline is 8 p.m. this evening, for a story tomorrow morning in Energy and Environment. Since it will announce your team, we are thinking that it makes sense to get the all employee email out as early as possible tomorrow.

We also have media inquiries from Politico and Bloomberg regarding holds on any regulatory actions.



**Rachel Leven**

Reporter

**Bloomberg BNA**

Direct 703.341.3778

Cell Personal Phone/Ex. 6

[rleven@bna.com](mailto:rleven@bna.com)

**To:** Robin Bravender[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 1:32:27 PM  
**Subject:** RE: Meeting Thursday morning?

We can meet at the Starbucks in the Trump Hotel today. I am free till 11. And then I am free from 1-2.

Doug

**From:** Robin Bravender [mailto:rbravender@eenews.net]  
**Sent:** Wednesday, February 15, 2017 9:51 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Meeting Thursday morning?

Let's reschedule! Let me know a good time for you. I could meet Thursday afternoon, if that works for you.

Robin Bravender

Environment & Energy Publishing

Desk: 202-446-0410

Mobile: Personal Phone/Ex. 6

On Feb 15, 2017, at 8:58 PM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Hi Doug,

Please let me know if you still want to meet at 7 a.m. tomorrow. If I don't hear from you tonight, I'll assume we're off and we can reschedule for a time that's most convenient for you. I know you're having a hectic week!

Thanks!

Robin

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 7:17:29 PM  
**Subject:** Re: Flint Water media inquiry

Good to go

Sent from my iPhone

On Jan 25, 2017, at 2:16 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi Doug,

**This is a an inquiry on Flint, MI water quality. The state of MI announced yesterday that the water is getting better.**

**Our proposed response is highlighted in yellow.**

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

Personal Phone/Ex. 6 (mobile)

**Yahoo News - reporter Caitlin Dickson** (212.571.8133 office Personal Phone/Ex. 6 cell / [cdickson@yahoo-inc.com](mailto:cdickson@yahoo-inc.com)) emailed at 10:39 on 1/25/17 asking about the Flint water levels falling. Specific request: I'm working on a story this morning about the MDEQ announcement yesterday that lead levels in Flint's water supply have fallen below the federal limit, and I'd love to get a comment from you or someone at EPA Region 5.

I've spoken to several Flint residents who've said they are skeptical about this announcement, because they've either not had anyone from the state come to test the water in their home, or they've sent their own water samples to be tested independently and found that it still contains dangerously high levels of lead (not to mention other chemicals ).

Is this skepticism justified? Does EPA Region 5 stand by the MDEQ's latest findings? Has the EPA done, or does it plan to do, any additional testing to confirm whether Flint's water system is in compliance with the federal Lead and Copper Rule?

I'm on a relatively short deadline—aiming to have this story published this afternoon—so any comment you're able to provide within the next couple of hours would be great.

**Deadline is this afternoon.**

Flint's water quality continues to improve. EPA's data, along with that from MDEQ and others, including Virginia Tech, demonstrates significant progress over the past year. Lead levels have substantially decreased and orthophosphate is doing its job. Chlorine levels have improved and stabilized through the system for effective disinfection. Disinfection byproducts are under control and remain well below proper levels.

EPA's experts believe that the system will continue to improve over the next year. Orthophosphate will continue to be added for continued restoration of the protective coating of all pipes. Regular water use by residents and businesses will improve orthophosphate



and chlorine levels and overall water quality in the system. EPA will continue to oversee efforts to improve water distribution throughout the city.

While EPA is encouraged about these findings, we continue to review available data and information with the State, community leaders, and others. For the time being, EPA continues to recommend Flint residents do not drink unfiltered tap water. EPA will continue to monitor progress made by the City and the State to complete the requirements under the federal order that remains in place.

**To:** Devin Henry[dhenry@thehill.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/15/2017 5:57:20 PM  
**Subject:** Re: Trump EPA visit?

We have no confirmation of Pres. Trump coming to the EPA building. We would love to host him but at this time there is nothing set up.

Doug Ericksen

Sent from my iPhone

On Feb 15, 2017, at 12:03 PM, Devin Henry <dhenry@thehill.com> wrote:

Hey Doug,  
Devin Henry with The Hill here.

Can you confirm anything (on background as an administration official, if you'd like) from this Inside EPA piece about potential Trump executive orders at the EPA?  
[https://insideepa.com/daily-news/trump-eyes-epa-visit-announce-limits-agency-after-pruitt-sworn?utm\\_source=dlvr.it&utm\\_medium=twitter](https://insideepa.com/daily-news/trump-eyes-epa-visit-announce-limits-agency-after-pruitt-sworn?utm_source=dlvr.it&utm_medium=twitter)

Let me know. I'm writing something based on that report but would like to confirm it on my own if possible.

Thanks for any hope you can give. Thanks Doug,

-Devin

--

Devin Henry  
Staff Writer, The Hill  
P: (202) 349-8127  
C: Personal Phone/Ex. 6  
Twitter: [@dhenry](https://twitter.com/dhenry)

**To:** Hale, Michelle[hale.michelle@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 5/9/2017 9:12:22 PM  
**Subject:** RE: Doug Ericksen

Michelle,

Chairing that committee has put me on the front lines of many battles—and the great part is we have won on most of the battles and we are in court on the ones we lost.

Any help is greatly appreciated.

I could also try to change my flights to be here next week on Monday and Tuesday—but this week would be better.

Doug Ericksen

**From:** Hale, Michelle  
**Sent:** Tuesday, May 9, 2017 5:08 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Subject:** RE: Doug Ericksen

Hi there. I'm copying Sydney to see if there is a possibility this week – I know his schedule is packed and he is going to Colorado for a speech on Thursday then to Oklahoma for his daughter's graduation.

I knew you are a Senator but that is really awesome about your chairing the Energy and Environ. Comm.

**From:** Ericksen, Doug  
**Sent:** Tuesday, May 9, 2017 5:05 PM

**To:** Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>  
**Subject:** Doug Ericksen

Michelle,

Hope all is well. It is fun being back in DC for a few days.

I am inquiring to see if there is time this week to meet with Administrator Pruitt.

My 120 days as an employee ends on May 20<sup>th</sup>.

I am not sure if I mentioned to you before, but my other job is State Senator in Washington State. I serve as the Chairman of the Energy and Environment Committee. I am the only Republican Energy and Environment Chairman on the West Coast of the USA.

All the best.

Doug Ericksen

Special Advisor to the Administrator

Personal Phone/Ex. 6

202-379-6084

**To:** Dennis, Brady[Brady.Dennis@washpost.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 5:48:53 PM  
**Subject:** Re: climate pages, etc

Sure. In a few minutes.

Sent from my iPhone

On Jan 25, 2017, at 12:36 PM, Dennis, Brady <[Brady.Dennis@washpost.com](mailto:Brady.Dennis@washpost.com)> wrote:

Hi Doug,

I know there's been much made over the fate of the climate web pages at EPA. Wondering if you have a few minutes to talk with me and set straight what's actually happening?

Happy to talk anytime.

Thanks,

Brady

<image001.png>

Brady Dennis

National Staff

Health, Science & Environment

Work: (202) 334-7745

Email: [brady.dennis@washpost.com](mailto:brady.dennis@washpost.com)

Stories: [goo.gl/SY131A](http://goo.gl/SY131A)

Twitter: [@brady\\_dennis](https://twitter.com/brady_dennis)



**To:** Hale, Michelle[hale.michelle@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 5/9/2017 9:05:16 PM  
**Subject:** Doug Ericksen

Michelle,

Hope all is well. It is fun being back in DC for a few days.

I am inquiring to see if there is time this week to meet with Administrator Pruitt.

My 120 days as an employee ends on May 20<sup>th</sup>.

I am not sure if I mentioned to you before, but my other job is State Senator in Washington State. I serve as the Chairman of the Energy and Environment Committee. I am the only Republican Energy and Environment Chairman on the West Coast of the USA.

All the best.

Doug Ericksen

Special Advisor to the Administrator

Personal Phone/Ex. 6

202-379-6084

**To:** Benton, Donald[benton.donald@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 6:39:51 PM  
**Subject:** FW: Non-EPA response team

**From:** Schnare, David  
**Sent:** Tuesday, March 14, 2017 11:54 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Kreutzer, David <kreutzer.david@epa.gov>  
**Subject:** Re: Non-EPA response team

Why ? Pruitt has not taken ownership of the issue as best I can tell. Or do you know something I don't?

d

Sent from my iPhone

On Mar 14, 2017, at 11:52 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

David and David,

As you time allows I would like to sit down with you to put together a list of scientists and professionals who can provide balance to the climate change CO2 conversation.

We can discuss more in person.

Doug Ericksen



**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 4:25:07 PM  
**Subject:** Re: Presentation to the WSU Climate Impacts to Water Conference - Jan 25th

Ok. Good to go  
Erickson

Sent from my iPhone

On Jan 25, 2017, at 10:56 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

<image001.gif>  
Hi Doug,

We learned of this presentation last night – evidently it has been scheduled for a while.

Please see highlighted info on the presentation below and let us know your thoughts.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

Holsman, Marianne has shared a OneDrive for Business file with you. To view it, click the link below.
---

<image00001.png>

This is tomorrow.

Marianne

Follow us!

[<image002.png>](#) [<image003.png>](#) [<image004.png>](#) [<image005.png>](#) [<image006.png>](#) [<image007.png>](#)

**From:** Soscia, Marylou

**Sent:** Monday, January 23, 2017 6:30 PM

**To:** Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>

**Cc:** Psyk, Christine <[Psyk.Christine@epa.gov](mailto:Psyk.Christine@epa.gov)>; Edmondson, Lucy  
<[Edmondson.Lucy@epa.gov](mailto:Edmondson.Lucy@epa.gov)>

**Subject:** Presentation to the WSU Climate Impacts to Water Conference - Jan 25th

Marianne:

I will be speaking on Wed am at the WSU Climate Impact to Water Conference in Skamania, WA. I will be focusing my talk on Columbia River water quality issues including total dissolved gas, water temperature and toxics reduction work that I have been doing for many years. I am not going to be talking about climate change. I have included the invitational email below and I am attaching my ppt and the proposed agenda. Please let me know if you need more information.

Mary Lou

Sept 29, 2016

Greetings Mary Lou,

My name is Liz Whitefield and I am the outreach coordinator for the Livestock Nutrient Program at Washington State University. Myself, along with other PNW university climate related programs are organizing a conference focused on Climate Impacts to Water to be held January 25-26, 2017 at Skamania Lodge in Stevenson, WA. This regional (ID, WA, OR) conference is directed towards ag professionals, consultants, producers, agency and applied academia that are involved with agriculture and/or water quality. I would like to invite you to speak on a water user/stakeholders panel on January 25. It would be more than worthwhile for this group to hear your perspectives working on the Columbia River protection, quality, and restoration as well as with the CR toxins reduction group.

I've attached a flier and a brief document with the objectives of the conference, as well as the team and the regional projects involved with the coordination of the meeting. The website of the conference is: [cm.wsu.edu/climateimpactstowaterconference](http://cm.wsu.edu/climateimpactstowaterconference) Please let me know if you would kindly accept the offer to present on Jan 25, 2017 when you have a free chance. Also, please feel free to contact me if you have questions.

In addition, would you have any recommendations for a good speaker within the tribal community that could speak on this panel as well? Also, we plan on having a panel session featuring producer/ grower stories of water conservation and water quality stewardship. I was wondering if you could recommend anyone to speak on this panel, or if possibly the Columbia River toxin reduction group might fit well into this category? Please let me know when you have a free minute. Thank you for your time Mary Lou, I hope to hear from you soon.

Kind Regards,

Liz Whitefield

Outreach coordinator, PAS

Washington State University

Livestock Nutrient Management Program

2606 W Pioneer

Puyallup, WA 98371

Office: **Personal Phone/Ex. 6**

Cell: **Personal Phone/Ex. 6**

[e.whitefield@wsu.edu](mailto:e.whitefield@wsu.edu)

[www.animalagclimatechange.org](http://www.animalagclimatechange.org)

Twitter: <https://twitter.com/climateanimals>

Facebook: <http://www.facebook.com/AnimalAgandClimateChange>

---

**Mary Lou Soscia | Columbia River Coordinator | US EPA**

805 S.W. Broadway, Suite 500 | Portland, OR 97205

**Personal Phone/Ex. 6**

[www.epa.gov/columbiariver](http://www.epa.gov/columbiariver) | <https://twitter.com/EPAcolumbia>

<Final Agenda.pdf>

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 4:26:53 PM  
**Subject:** RE: Chesapeake bay visit

Got ya.  
ericksen

-----Original Message-----

From: Grantham, Nancy  
Sent: Tuesday, March 14, 2017 12:12 PM  
To: D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>  
Cc: Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Benton, Donald <benton.donald@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
Subject: Chesapeake bay visit

Just talked with administrator's scheduling team and they want to hold off for now in Chesapeake visit.

Thx ng

Sent from my iPhone

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 4:24:09 PM  
**Subject:** Re: Emergency Response: R7 dispatching OSC's to Magellan pipeline spill northern Iowa

Thank you

Sent from my iPhone

On Jan 25, 2017, at 11:20 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

For your awareness

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Carey, Curtis  
**Sent:** Wednesday, January 25, 2017 11:13 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>  
**Cc:** Kelley, Jeff <[kelly.jeff@epa.gov](mailto:kelly.jeff@epa.gov)>; Bryan, David <[Bryan.David@epa.gov](mailto:Bryan.David@epa.gov)>; Brees, Angela <[Brees.Angela@epa.gov](mailto:Brees.Angela@epa.gov)>; Flournoy, Karen <[Flournoy.Karen@epa.gov](mailto:Flournoy.Karen@epa.gov)>; Chu, Ed <[Chu.Ed@epa.gov](mailto:Chu.Ed@epa.gov)>; Peterson, Mary <[Peterson.Mary@epa.gov](mailto:Peterson.Mary@epa.gov)>  
**Subject:** Emergency Response: R7 dispatching OSC's to Magellan pipeline spill northern Iowa

R7 Superfund Division is dispatching two OSCs to a Magellan pipeline spill up near the

Iowa / Minnesota border. Region 5 is supporting R7 by sending an OSC who is in closer proximity to the spill. EPA R7 is coordinating with R5, IDNR and local Emergency Management officials. The PIO in R7 is David Bryan.

Initial reports are that there may have been 1,500 – 2,500 barrels (63,000 – 105,000 gallons) of diesel released. EPA R7 has confirmed that there are no downstream drinking water intakes or tribal lands immediately downstream from the spill in Worth County, Iowa. Willow Creek flows into the Winnebago River, which flows southeast towards Mason City.

The closest town is Hanlontown, Iowa. IDNR has dispatched Carl Berg from the local IDNR field office.

Magellan has deployed multiple response and recovery resources.

We will send out an update when we have an on-site presence.

There is inclement weather in the area – a foot of blowing snow and all roads in northern Iowa are snow packed.

Curtis D. Carey, Ph.D.

Public Affairs Director

U.S. Environmental Protection Agency

Region 7 (Kansas, Missouri, Nebraska, Iowa & Nine Tribes)

(913) 551-7506

[epa.gov](http://epa.gov) | [epa.gov/region7](http://epa.gov/region7) | <http://blog.epa.gov/bigbluethread>

[<image001.png>](#) [<image002.png>](#) [<image003.png>](#) [<image004.png>](#) [<image005.png>](#) [<image006.png>](#)



<Spill Summary Report for NRC Report \_1169441.pdf>

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 4/18/2017 1:58:19 PM  
**Subject:** Re: REMINDER: You owe us information!

I will call u at 3.30

Sent from my iPhone

On Apr 18, 2017, at 6:57 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

I'm very flexible. I can do 3:30PM today (EDT) or anytime tomorrow from 10AM – 5PM (EDT).

You pick the time and I'm there.

Dan

**From:** Ericksen, Doug  
**Sent:** Tuesday, April 18, 2017 9:54 AM  
**To:** Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)>  
**Subject:** Re: REMINDER: You owe us information!

Is there a time that works better for you?

Sent from my iPhone

On Apr 17, 2017, at 2:18 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

I'm also free after 10AM on Wednesday.

**From:** Ericksen, Doug  
**Sent:** Monday, April 17, 2017 4:27 PM  
**To:** Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)>  
**Subject:** Re: REMINDER: You owe us information!

Dan. We will have to do this via phone. I am working from West Coast.

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 12:54 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Sure thing! Just name the time. I have to do new employee orientation at 9:45AM, but I'm free after that. Want me to come down to your office? Remind me where that is. Also, send me an electronic invitation.

See you Monday.

---

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 3:43:03 PM  
**To:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Can we go over it on Monday? I cannot think it will take long. My life is not complicated

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 9:17 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Well, you did submit your first draft of the report. But, we sent you back the comments below on 3/17 that you need to respond to. I'm telecommuting today, but I'll can be reached by phone or email. I'm also physically back in the office on Monday.

**Personal Matters/Ex. 6**

---

**From:** Ericksen, Doug

**Sent:** Friday, April 14, 2017 11:20:43 AM  
**Cc:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Dan. When is a good time to talk about correcting my report? I thought I had finished it.

Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Doug,

Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: REMINDER: You owe us information!

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

---

**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** REMINDER:

Hi,  
On March 17, OGC/Ethics returned your new entrant report to you with comments (see below). You have not yet finalized your report, so we can't certify it. Your report has been requested by the public, so you need to answer our questions so we can certify your report. Otherwise, we may not have any choice but to release it as is.

Comments of Reviewing Officials

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

## **Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail  
Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building |  
Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-  
564-1786 | fax 202-564-1772



**To:** Benton, Donald[benton.donald@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 4:10:10 PM  
**Subject:** FW: Letter for Don Benton

**From:** Schnare, David  
**Sent:** Tuesday, March 14, 2017 11:52 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Letter for Don Benton

Would be nice to show Don and me as the leadership team, since that was the reality.  
Nevertheless , I'll sign it.

d

Sent from my iPhone

On Mar 14, 2017, at 11:20 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

I have put together the following letter for Don Benton to President Trump. I am emailing to see if the members of the Beach Head team would sign on.

Please get back to me.

Doug

TO: President Donald J. Trump  
FROM: EPA Transition Team Members  
DATE: March 14, 2017

RE: Senior White House Advisor Don Benton

**Ex. 5**

Sincerely,

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 4:06:56 PM  
**Subject:** standard reply to inquires about media pause

*Lets send this reply on my behalf to media questions on media pause:*

*This is the first presidential transition of the social media era. According to EPA's Website, the Agency has nine blogs, three discussion forums, 34 Facebook pages, 37 Twitter accounts, more than 50 widgets – such as Act on Climate and Count down to Earth Day, YouTube channel, Pinterest, Instagram, Flickr, Storify, Medium, and the Web site. The digital media strategist left last year, and, remember, just a year ago, the GAO ruled the agency violated federal law and engaged in “covert propaganda” using social media. Until we get a new digital media strategist, it's more effective to have it media and messages coordinated through the Beachhead Team. There is nothing unreasonable nor unusual about that.*

**To:** Alex Guillen[aguillen@politico.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/14/2017 8:42:52 PM  
**Subject:** RE: Trump visit

If he gets confirmed the White House handles the initial swearing in. It will be at the location of their choice at the time of their choice. We are planning on some other activities to happen here at the EPA office that the media will be invited to. No dates or times have been released yet since we do not have a confirmed administrator yet.

I wish I could give you better details.

Doug Ericksen

EPA Transition Team

Communications Lead

**From:** Alex Guillen [mailto:aguillen@politico.com]  
**Sent:** Tuesday, February 14, 2017 3:31 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Trump visit

Will do Doug. If it comes late on Friday or Saturday, will he be sworn in over the weekend? Or will you wait until Tuesday? Assuming the Senate gets to him this week. And will press be able to attend that? For my planning purposes only.

**From:** Ericksen, Doug [mailto:ericksen.doug@epa.gov]  
**Sent:** Tuesday, February 14, 2017 3:21 PM  
**To:** Alex Guillen <aguillen@politico.com>  
**Subject:** RE: Trump visit

I am not aware of any plans at the moment for President Trump to be visiting the EPA office. We will wait to see when and if the

Senate takes action to confirm the new administrator.

We would always welcome a visit to the EPA office from the President of the United States.

Please feel free to check back in with me closer to the confirmation vote and we may have more details at that time.

Doug Ericksen

**From:** Alex Guillen [<mailto:aguillen@politico.com>]  
**Sent:** Tuesday, February 14, 2017 3:06 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Trump visit

Hey Doug, I saw a report Trump will visit EPA to sign some Eos once Pruitt is sworn in. Can you confirm that? What is the plan?

Many thanks,

Alex Guillén

Energy Reporter

POLITICO *Pro*

(o) 703.341.4619 | (c) Personal Phone/Ex. 6

[aguillen@politico.com](mailto:aguillen@politico.com) | @alexcg Guillen

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 3:54:43 PM  
**Subject:** RE: Non-EPA response team

CNBC interview.

ericksen

**From:** Schnare, David  
**Sent:** Tuesday, March 14, 2017 11:54 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Kreutzer, David <kreutzer.david@epa.gov>  
**Subject:** Re: Non-EPA response team

Why ? Pruitt has not taken ownership of the issue as best I can tell. Or do you know something I don't?

d

Sent from my iPhone

On Mar 14, 2017, at 11:52 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

David and David,

As you time allows I would like to sit down with you to put together a list of scientists and professionals who can provide balance to the climate change CO2 conversation.

We can discuss more in person.

Doug Ericksen



**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 3:36:52 PM  
**Subject:** Re: Possible social media soundbite

Thank you. I will use. Who put this together?

Sent from my iPhone

On Jan 25, 2017, at 9:40 AM, Schnare, David <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)> wrote:

Doug,

Here's a possible soundbite or something you can send out or otherwise use with the media. I think it gets to the heart of the matter, giving facts the media does not now have.

dschnare

*This is the first presidential transition of the social media era. According to EPA's Website, the Agency has nine blogs, three discussion forums, 34 Facebook pages, 37 Twitter accounts, more than 50 widgets – such as Act on Climate and Count down to Earth Day, YouTube channel, Pinterest, Instagram, Flickr, Storify, Medium, and the Web site. The digital media strategist left last year, and, remember, just a year ago, the GAO ruled the agency violated federal law and engaged in “covert propaganda” using social media. Until we get a new digital media strategist, it's more effective to have it media and messages coordinated through the Beachhead Team. There is nothing unreasonable nor unusual about that.*



**To:** Konkus, John[konkus.john@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/21/2017 1:00:27 PM  
**Subject:** FW: Visit to Chesapeake Bay Program Office

Administrator visit to Chesapeake Bay Program Office.

Here is the plan:

Arrive Program Office

1)

Get briefed by EPA staff on site on 2<sup>nd</sup> floor of office building in the conference room. Room holds about 15 people—we should not have more than 10 people in there.

2)

After briefing by EPA staff address media from parking lot directly in front of EPA office with boats and Naval Academy in background.

3)

Walk from media briefing to look at storm water project done by local restaurant. This is about 2 blocks away, can drive or walk depending on weather and crowds. Media can follow to parking lot.

Parking lot is not much to look at and there are not too many good visuals there. It is a unobtrusive storm water project. No large berms or swales.

4)

Lunch at restaurant after viewing storm water project.

Invite list should be coordinated with local EPA office and through our intergovernmental office. Gov of Maryland. Local mayor, etc should be on list. Private lunch area can accommodate about 20 people (plus or minus).

5)

Following lunch, walk back to EPA offices where Admin Pruitt will conduct an all hands meeting in the conference room on water.

More details can be handled with EPA staff on site.

Ericksen

**From:** Benton, Donald  
**Sent:** Monday, February 20, 2017 5:14 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FW: Visit to Chesapeake Bay Program Office

Doug, Could you please fine tune and finalize the Bay visit agenda based on our trip there. We want it ready to go when Pruitt pulls the trigger on it.

Thanks,

Don

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



**From:** Grantham, Nancy

**Sent:** Saturday, February 11, 2017 11:02 PM

**To:** David Schnare <[Schnare@torcastlelaw.net](mailto:Schnare@torcastlelaw.net)>

**Cc:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>;  
Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Ericksen, Doug  
<[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>; Weese, Eric <[Weese.Eric@epa.gov](mailto:Weese.Eric@epa.gov)>; Shapiro, Mike  
<[Shapiro.Mike@epa.gov](mailto:Shapiro.Mike@epa.gov)>

**Subject:** Re: Visit to Chesapeake Bay Program Office

Thx

Sent from my iPhone

On Feb 11, 2017, at 7:28 PM, David Schnare <[Schnare@torcastlelaw.net](mailto:Schnare@torcastlelaw.net)> wrote:

The trip may well be put off a bit. Mr. Pruitt wants to do local media first and get his feet on the ground a bit before he heads out of the office. We will reexamine his schedule on either Friday or the following Tuesday.

dschnare

Sent from my iPad

On Feb 11, 2017, at 2:51 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Great, we have a team working on itinerary options and we will have something to discuss with you mid-day on Monday.

**Personal Matters/Ex. 6**

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6 (mobile)**

**From:** Benton, Donald

**Sent:** Saturday, February 11, 2017 2:47 PM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>

**Cc:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>; Weese, Eric <[Weese.Eric@epa.gov](mailto:Weese.Eric@epa.gov)>; Shapiro, Mike <[Shapiro.Mike@epa.gov](mailto:Shapiro.Mike@epa.gov)>; David Schnare <[Schnare@torcastlelaw.net](mailto:Schnare@torcastlelaw.net)>

**Subject:** Re: Visit to Chesapeake Bay Program Office

Nancy,

Swearing in will now likely happen next Thursday evening or Friday so the visit will be the following Tuesday after the holiday, tentatively. I will go on advance visit this coming Wednesday morning . We should plan on leaving at 10.

Thanks, Don

Sent from my iPad

On Feb 9, 2017, at 12:08 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Thanks – we will work to make it happen.

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6 : (mobile)**

**From:** Benton, Donald

**Sent:** Thursday, February 09, 2017 2:54 PM

**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>; Weese, Eric <[Weese.Eric@epa.gov](mailto:Weese.Eric@epa.gov)>; Shapiro, Mike <[Shapiro.Mike@epa.gov](mailto:Shapiro.Mike@epa.gov)>

**Cc:** David Schnare <[Schnare@torcastlelaw.net](mailto:Schnare@torcastlelaw.net)>

**Subject:** Visit to Chesapeake Bay Program Office

**Importance:** High

Team,

Administrator Pruitt will be visiting the Office within 48 hours of his swearing in. I have notified Mike Shapiro and Eric Weese I intend to make an advance visit there on Monday. ( I may need to send a surrogate)

I need by COB tomorrow some talking points for Mr. Pruitt and a proposed **agenda/itinerary** for the trip. We should invite the Governor of Maryland.

Thanks,

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.gif>

**To:** Alex Guillen[aguillen@politico.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/14/2017 8:20:58 PM  
**Subject:** RE: Trump visit

I am not aware of any plans at the moment for President Trump to be visiting the EPA office. We will wait to see when and if the Senate takes action to confirm the new administrator.

We would always welcome a visit to the EPA office from the President of the United States.

Please feel free to check back in with me closer to the confirmation vote and we may have more details at that time.

Doug Ericksen

**From:** Alex Guillen [mailto:aguillen@politico.com]  
**Sent:** Tuesday, February 14, 2017 3:06 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Trump visit

Hey Doug, I saw a report Trump will visit EPA to sign some Eos once Pruitt is sworn in. Can you confirm that? What is the plan?

Many thanks,

Alex Guillén

Energy Reporter

POLITICO *Pro*

(o) 703.341.4619 | (c) Personal Phone/Ex. 6

[aguillen@politico.com](mailto:aguillen@politico.com) | @alexcguillen



**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 4/18/2017 1:54:20 PM  
**Subject:** Re: REMINDER: You owe us information!

Is there a time that works better for you?

Sent from my iPhone

On Apr 17, 2017, at 2:18 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

I'm also free after 10AM on Wednesday.

**From:** Ericksen, Doug  
**Sent:** Monday, April 17, 2017 4:27 PM  
**To:** Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)>  
**Subject:** Re: REMINDER: You owe us information!

Dan. We will have to do this via phone. I am working from West Coast.

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 12:54 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Sure thing! Just name the time. I have to do new employee orientation at 9:45AM, but I'm free after that. Want me to come down to your office? Remind me where that is. Also, send me an electronic invitation.

See you Monday.

---

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 3:43:03 PM  
**To:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Can we go over it on Monday? I cannot think it will take long. My life is not complicated

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 9:17 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Well, you did submit your first draft of the report. But, we sent you back the comments below on 3/17 that you need to respond to. I'm telecommuting today, but I'll can be reached by phone or email. I'm also physically back in the office on Monday.

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 11:20:43 AM  
**Cc:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Dan. When is a good time to talk about correcting my report? I thought I had finished it.

Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Doug,

Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code

2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC  
20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: REMINDER: You owe us information!

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

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**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** REMINDER: You owe us information!

Hi,

On March 17, OGC/Ethics returned your new entrant report to you with comments (see below). You have not yet finalized your report, so we can't certify it. Your report has been requested by the public, so you need to answer our questions so we can certify your report. Otherwise, we may not have any choice but to release it as is.

Comments of Reviewing Officials

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code  
2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC  
20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-  
1772

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 3:54:08 PM  
**Subject:** RE: Letter for Don Benton

True point.

ericksen

**From:** Schnare, David  
**Sent:** Tuesday, March 14, 2017 11:52 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Letter for Don Benton

Would be nice to show Don and me as the leadership team, since that was the reality.  
Nevertheless , I'll sign it.

d

Sent from my iPhone

On Mar 14, 2017, at 11:20 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

I have put together the following letter for Don Benton to President Trump. I am emailing to see if the members of the Beach Head team would sign on.

Please get back to me.

Doug

**Deliberative Process Privilege/Ex. 5**

**Deliberative Process Privilege/Ex. 5**



**To:** Alex Guillen[aguillen@politico.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 3:34:57 PM  
**Subject:** Re: Interview request

Yes. Will call after my current meeting

Sent from my iPhone

On Jan 25, 2017, at 10:15 AM, Alex Guillen <[aguillen@politico.com](mailto:aguillen@politico.com)> wrote:

Hi Doug, are you available for an interview about the transition at EPA? I saw you are the beachhead team's comms director so I assume you're the right person to ask.

Thank you,

Alex Guillén

Energy Reporter

POLITICO *Pro*

(o) 703.341.4619 | (c) Personal Phone/Ex. 6

[aguillen@politico.com](mailto:aguillen@politico.com) | @alexcguillen

**To:** Doug Ericksen Personal Email/Ex. 6  
**From:** Ericksen, Doug  
**Sent:** Tue 2/21/2017 12:48:44 PM  
**Subject:** Emailing: Executive Orders Messaging.docx, Final - Climate Change.docx, Final - Cost-Benefit and Domestic Benefits EO.docx, Final - Critical Infrastructure Protection EO.docx, Final - LNG Export PM.docx, Final - Ozone.docx, Final - RFS PM.docx, Final - Sc  
[Executive Orders Messaging.docx](#)  
[Final - Climate Change.docx](#)  
[Final - Cost-Benefit and Domestic Benefits EO.docx](#)  
[Final - Critical Infrastructure Protection EO.docx](#)  
[Final - LNG Export PM.docx](#)  
[Final - Ozone.docx](#)  
[Final - RFS PM.docx](#)  
[Final - Scientific Rigor EO.docx](#)  
[Final - WOTUS EO.docx](#)

Your message is ready to be sent with the following file or link attachments:

Executive Orders Messaging.docx  
Final - Climate Change.docx  
Final - Cost-Benefit and Domestic Benefits EO.docx  
Final - Critical Infrastructure Protection EO.docx  
Final - LNG Export PM.docx  
Final - Ozone.docx  
Final - RFS PM.docx  
Final - Scientific Rigor EO.docx  
Final - WOTUS EO.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

## Executive Orders Messaging

- **WOTUS**

- Directs withdrawal and rescission of the rule, and associated orders, guidelines and policies; and grant petitions to do so; seek remand of the rule from the Court; and in the meantime, apply the “traditional navigable waters” definition of *Rapanos*.

- **Message**

The President and many States have concluded that the Waters of the U.S. rule has reached beyond the authority allowed in the Clean Water Act. Over the past 40 years, the States, in partnership with EPA, have developed extensive programs to protect and improve the quality of their lakes, streams, rivers and wetlands. Under the President’s Order, we will reexamine the State-Federal split in responsibility and define over what waters the Federal government need apply its independent authority and in doing so, we will respect the State role and rely on their interests and experience.

- **Ensuring Scientific Rigor**

- Requires greater transparency, close adherence to the Information Quality Act guidelines, and closer review of IQA compliance by OMB (OIRA).

- **Message**

The American public has a wealth of knowledge and experience. Many can and want to dive deep into the scientific basis of environmental regulations. Under the President’s Order, we will open up the science to everyone and in a manner they can understand and review so that the public can be a full partner in our decision processes. As well, we will hold ourselves to the highest standard of scientific performance, not on a voluntary basis as EPA has in the past, but for every regulatory action we take.

- **Climate Change**

- Rescinds the Obama Climate Actions; withdraws us from the Paris Accord or the Rio Accord; requires termination of financial contributions to international organizations including the IPCC; withdraw the Clean Power Plan and associated guidance; withdraw the “Legal Memorandum” underpinning the Clean Power Plan; move the Court to hold the 111(b) & (d) cases in abeyance; withdraw the Greenhouse Gases Endangerment Finding; revise the GHG reporting rule; rescind the Social Cost of GHGs guidance and report previous use of it.

- **Message**

- **Critical Infrastructure**

- This is a CEQ Executive Order and we need make no statement on it.

- **Cost-Benefit Analysis**
  - Prohibits justifying a rule on the “co-benefits” attendant to a regulatory action.
  - **Message**  
In addition to the President’s effort to limit the regulatory explosion we have seen over the recent past, an effort which now requires a two-for one and dollar for dollar trade-off for all new rules, he has asked us to reinvigorate the Reagan policy of sound benefit-cost analysis, bring in new analytical techniques and ensure the focus of our analysis is the true intended benefits of the regulation. We will no longer write rules that don’t stand on their own legs – whose costs simply can’t be justified by a lack of directly related benefits.
- **LNG Export**
  - This is a Department of Energy EO and we need make no statement on it.
- **Offshore PM**
- **Onshore Energy**
- **Ozone NAAQS**
  - Withdraw and rescind the 2015 rule and related guidance or grant petitions that seek same.
  - **Message**  
In 2008, we established a stringent Ozone standard that the States are attempting to meet. They have not fully succeeded, in many cases because normal background sources of ozone cause nonattainment and are beyond our control. Asking the states to do more at this time would throw a wrench in the works they already have underway to meet the 2008 standard and may take us to a point where we are asking the impossible. I am going to review the science behind the 2015 rule to determine from first principles the degree of hazard that remains for us to address and our ability to do so. Only then will we be able to decide whether to ask the states to do more.
- **Regional Haze**
- **Renewable Fuel Standards**
  - Conduct a programmatic review of the Renewable Fuel Program and make recommendations for the long-term viability of the program, with special attention on the E-10 Blend wall and the point of obligation for compliance.
  - **Message**

Our nation made assumptions about how to implement a Renewable Fuel Standard – assumptions we now find were too optimistic. The program, as it stands, is not implementable. I look forward to working with Members of Congress, the States and industry and most importantly listening to the voices of the American people about how to improve this program. Based on that input we will then report our recommendations to the President, as directed.

## EXECUTIVE ORDER

### **War on Coal: Restoring the Rule of Law, Federalism, and Economic Growth by Rescinding Climate Change Directives**

#### **DRAFT Messaging Points**

##### *Executive Order Top Line*

- Promoting and protecting a strong and healthy environment is among the lifeblood priorities for the government, and EPA is vital to that mission. Recently that mission has been obscured by politics and progressivism. This Executive Order will help return EPA to its core mission. We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time. That is what the American people want and expect and that is we are going to deliver at EPA.

##### *Section 1. Policy*

- EPA is a vital agency, ensuring American families are healthy and safe. The mission of the EPA is to protect our natural resources, protect our water quality, improve our air, and help to protect the health and welfare of our citizens. Where enforcement is necessary to ensure that mission is upheld, I advocate for vigorous enforcement. I have done that as attorney general in Oklahoma. I have taken very constructive steps against those that have violated the law. It will be no different now that I am Administrator of the EPA. This Executive Order helps our agency do that job by providing important guidelines and direction.
- This Executive Order establishes and the courts have agreed that the EPA has exceeded its authority; that the EPA has not acted within the framework that Congress has established in performing the role that it is supposed to perform. Process matters; rule of law matters; federalism matters. Those issues matter because Congress has said so. It is Congress who gives authority to the EPA. The EPA is an administrative agency, it is not a legislative body. So it is important for this agency to act within the framework, within the substantive authority that Congress has provided it in doing its job.
- Cooperative federalism is at the heart of many of the environmental statutes that have been passed by Congress, and the reason for that is it is the States, many times, that have the resources, the expertise, and understanding of what the unique challenges are for the environment and how to improve our water and our air.

##### *Sec. 2. Rescission of Certain Climate-Related Actions*

- The climate is changing and human activity plays a role. That debate is over. The question now is this: to what extent is the climate changing? To what extent are humans

the cause of this change? Is it a danger to the human race and what can we do about it if it is a danger? What we cannot do while these questions are being answered is stop American progress, kill American jobs, threaten American energy independence or further degrade the U.S. Constitution. This Executive Order puts the American people ahead of unanswered questions while allowing science to continue to work and guide us, but not control us.

- This Executive Order recognizes that air quality in the United States has never been better, cleaner or healthier. American power producers have done an incredible job using cutting edge ingenuity and technology to deliver clean power to American businesses and families. The public and private sectors should be proud of the progress made on this front. The American people have done their part. It's time for the federal government to do its part.

### *Sec. 3. United Nations Framework Convention on Climate Change (UNFCCC)*

- There is an important role for the United Nations, but I'm not sure having the UN direct the United States on climate policy is one of those roles. America has led the way in reducing greenhouse gas emissions. It's time the rest of the world acknowledges that and it's time the American people were thanked for their sacrifice in achieving this high standard. No other country has met the standards America has set for itself, and it's not likely any other nation or group of nations will match what we've done anytime soon.

### *Sec. 4. Withdrawal of the EPA's "Clean Power Plan" and Related Rules*

- The Clean Power Plan has serious legal and policy flaws. For years energy producing states such as my own have argued that this plan is an overreach by EPA, interfering with the states' sovereign rights. As directed by this Executive Order, EPA will act strictly within the governing law and the federalist framework of our Constitution, in this as in all other policy areas. I look forward to overseeing the project of restoring EPA's regulatory work in this field to its proper, lawful, and traditional role.

### *Sec. 5. Withdrawal of the Greenhouse Gases Endangerment Finding*

- Before this Executive Order it was the EPA Administrator's duty to follow the Greenhouse Gases Endangerment Finding as directed by the courts. After this Executive Order it is the EPA Administrator's duty to follow the orders of the President and withdraw from the regulations laid out in the Executive Order. The EPA is an administrative agency, it is not a legislative body. When Congress passes a law directing EPA to adhere to or withdraw from the Greenhouse Gases Endangerment Finding, then EPA will follow that law.

### *Sec. 7. Social Cost of Greenhouse Gases*

- To the extent that EPA does scientific research, we should use that research to inform our internal decision making, policy making, and our advice to Congress and the President, but we should not use science to scare people or as a predicate to force Americans to take

actions that are not proven to make them safer or healthier. This Executive Order helps right the ship of science at EPA by retuning this agency to its core mission.

*Sec. 8. NEPA*

- For too long EPA has been used as a political tool to slow American progress, stop economic growth and kill American jobs. This Executive Order fixes much of that and now EPA can refocus its work on its core mission and let the American people get back to work.

###

EXECUTIVE ORDER

**War on Coal:  
Restoring the Rule of Law, Federalism, and Economic Growth  
by Rescinding Climate Change Directives**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of Congress's power to determine whether and how to effectuate Federal regulation of greenhouse gas emissions, or otherwise respond to the potential for climate change; the opportunity costs imposed by federal climate change activities that diminish the ability of Departments and Agencies to meet their core responsibilities; the States' traditional power to regulate electricity generation, distribution, and use; the principle that the U.S. Environmental Protection Agency (EPA) shall, when implementing the Clean Air Act programs of this nation, work cooperatively with the States to achieve shared environmental goals; and the imperative to promote policies in the national interest and for the benefit of American workers and their families; it is hereby ordered as follows:

Section 1. *Policy.*

It is in the national interest to ensure that the nation's electricity is affordable, reliable, safe, secure, and clean, and available to be produced from coal, natural gas, nuclear power, hydropower, other renewables, and other domestic sources.

It is the policy of the United States that executive departments and agencies including the EPA shall take appropriate actions, to the extent consistent with applicable law, to ensure clean air and clean water for the American people in cooperation with the States and according to standards both as set forth by Congress, in respect of the proper roles of Congress and the States concerning these matters in our constitutional republic.

It is the policy of the United States that federal regulations and directives be based on careful consideration of science and principles of science reflecting input from the entirety of the scientific community; and that those agencies with statutory responsibility for regulation and formulation of directives integrate scientific knowledge in the first instance, rather than rely on that conducted by other units of government or international bodies.



It is the policy of the United States that when promulgating federal regulations for the environment, it is necessary to ensure that policy solutions comport with the law, provide substantially more benefits than the costs imposed, accurately gauge those costs, reflect the opportunity costs of policy solutions, achieve meaningful environmental improvements for the American people, and are developed through transparent procedures using the best available science.

*Sec. 2. Rescission of Certain Climate-Related Actions.*

(a) The following Presidential actions are hereby revoked:

Executive Order 13754 of December 9, 2016, which addressed Northern Bering Sea Climate Resilience.

Executive Order 13653 of November 1, 2013, which required certain actions by the Federal government and other entities concerning climate change;

Executive Order 13677 of September 23, 2014 (Climate-Resilient International Development), which set requirements for systematically integrating climate-resilience considerations into U.S. international development work;

The Presidential Memorandum of June 25, 2013, concerning "Power Sector Carbon Pollution Standards", 78 Fed. Reg. 39,535 (July 1, 2013);

The Report of the Executive Office of the President entitled, "The President's Climate Action Plan," dated June 2013; and,

The Presidential Memorandum of September 21, 2016, entitled, "Climate Change and National Security".

The Presidential Memorandum of December 5, 2013, entitled "Federal Leadership on Energy Management."

The Presidential Memorandum of February 03, 2010, entitled, "A Comprehensive Federal Strategy on Carbon Capture and Storage.

(b) Executive Order 13693 of March 19, 2015, (Planning for Federal Sustainability in the Next Decade), which directed Federal actions to improve environmental performance and Federal sustainability, is amended by deleting: (1) section 1 through section 15; (2) the first sentence of section 16(a); (3) "Therefore," of the second sentence of section 16(a); (3) sections 16(d) through 16(e); and sections 17 through 20.

(c) The Administrator of EPA, the Council on Environmental Quality (CEQ), and heads of all executive departments and agencies shall (i) promptly identify every order, rule, regulation, guideline, or policy implementing or enforcing the Presidential actions listed in subparagraph

(a); (ii) specify the source of authority for each; (iii) shall terminate, effective today, any actions based on said Presidential actions immediately, and otherwise stay and move to rescind each such activity (including funding) until the Office of Management and Budget authorizes/directs reinvestment, modification or cessation of the program/project, unless required unambiguously by statute.

### Sec. 3. United Nations Framework Convention on Climate Change (UNFCCC).

(a) On March 17, 2016, the State of Palestine became a Party to the UNFCCC, an affiliated organization of the United Nations. Since March 17, 2016, the United States has continued to make contributions, including financial contributions, to the Convention, which are contrary to section 410(1) of Public Law 103-236, the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and are violations of the Antideficiency Act.

(b) Each Executive Department or Agency shall immediately terminate, effective today, all contributions, including financial contributions, to the UNFCCC, including its subsidiary bodies, its financial mechanisms (Green Climate Fund and Global Environment Facility), the Least Developed Countries Fund, the Special Climate Change Fund, the Adaptation Fund, as well to the Intergovernmental Panel on Climate Change (IPCC) for any UNFCCC-requested Special Report, Methodological Report, or Technical Report.

(c) Each Executive Department or Agency who have made contributions, including financial contributions, to the UNFCCC, from March 17, 2016 to today, are directed to report immediately the amounts of those contributions to the Office of Management and Budget and to make every effort to recover those amounts from the UNFCCC, including its subsidiary bodies, its financial mechanisms (Green Climate Fund and Global Environment Facility), the Least Developed Countries Fund, the Special Climate Change Fund, the Adaptation Fund, as well from the Intergovernmental Panel on Climate Change (IPCC), as appropriate.

(d) Pursuant to Article 25 of the UNFCCC, the United States withdraws from the UNFCCC, including the "Paris Agreement" of 2015.

(e) The Department of State is directed to immediately give written notification of its withdrawal to the Depository per Article 25(1) of the UNFCCC, to wit, the Secretary-General of the United Nations.

### Sec. 4. *Withdrawal of the EPA's "Clean Power Plan" and Related Rules.*

(a) On February 10, 2015, the United States Supreme Court stayed implementation of EPA's "Clean Power Plan", which regulation remains stayed by that Court's order. Section 705 of the Administrative Procedures Act, 5 U.S.C. 705, provides further legal authority for this Administration to establish an additional executive stay of the Clean Power Plan. In particular, Section 705 authorizes the Administration, when it "finds that justice so requires," to postpone the effective date of agency action pending judicial review.

For the reasons justifying the stay order of the Supreme Court, and other pertinent reasons set forth by the States opposing the Clean Power Plan and related rules, I hereby find that justice requires a permanent, administrative stay and consideration for revision or withdrawal of the Clean Power Plan and similar and related rules. To that end, the Administrator of EPA shall

promptly administratively stay the final rules listed in subparagraph (b) pursuant to the authority recognized by Section 705 of the Administrative Procedure Act.

The Administrator of the EPA shall also consider petitions filed with the Agency to reconsider the Clean Power Plan and, where appropriate, grant such petitions where the effect of such grants would effectuate the purposes of this Executive Order.

The Administrator of EPA shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the final rules listed in subparagraph (b) below, along with any orders, rules, regulations, guidelines, or policies implementing or enforcing those final rules, to the extent consistent with law, and shall terminate, effective today, any actions based on those rules. The Administrator shall also promptly take final action to withdraw the proposed rules listed in subparagraph (b) below. Where appropriate, the Administrator shall simultaneously take action to promulgate in revised form any of the rules listed in subparagraph (b) below.

(b) Final or proposed rules for withdrawal or recession pursuant to subparagraph (a):

Final Rule, "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," published at 80 Federal Register 64661 (October 23, 2015) (also known as the "Clean Power Plan").

Final Rule, "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units," published at 80 Federal Register 64509 (October 23, 2015).

Final Rule, "Standards of Performance for Municipal Solid Waste Landfills" published at 81 Federal Register 59332 (August 29, 2016).

Final Rule, "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources," published at 81 Federal Register 35824 (June 3, 2016).

Final Rule, "Source Determination for Certain Emission Units in the Oil and Natural Gas Sector," published at 81 Federal Register 35622 (June 3, 2016).

Final Rule, "Finding That Greenhouse Gas Emissions From Aircraft Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare," published at 81 Federal Register 54421 (August 15, 2016); and the associated EPA denial of the Biogenic CO<sub>2</sub> Coalition's petition for reconsideration of this final action.

Revised Guidance, "Guidance for Implementing Section 141 of the Energy Independence and Security Act of 2007, Federal Vehicle Fleets and Low Greenhouse Gas-Emitting Vehicles," published at EPA-420-B-16-055 (May 2016).

Proposed Rule, "Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations; Proposed Rule," 80 Federal Register 64966 (October 23, 2015).

Proposed Rule, “Revisions to the Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas (GHG) Permitting Regulations and Establishment of a Significant Emissions Rate (SER) for GHG Emissions Under the PSD Program,” published at 81 Federal Register 68110 (October 3, 2016).

(c) The Administrator shall have the discretion to commence administrative proceedings both to reconsider and to rescind the rules listed in subparagraph (b) in a manner that is consistent with the Clean Air Act and other applicable law including the limitations on the Administrator's discretion and consistent with constitutional principles of federalism and separation of powers, while also providing for significant interagency input in the Administrator's reconsideration processes and any subsequent related rulemaking processes, if any.

(d) The Administrator shall rescind EPA's "Legal Memorandum Accompanying Clean Power Plan for Certain Issues," which was published in conjunction with the Clean Power Plan, and said memorandum shall be of no further force or effect.

(e) With respect to litigation before the Federal courts related to rules listed in subparagraph (b) of this Section, the Administrator shall take all available measures to effectuate the directive in subparagraph (a), including by promptly directing the U.S. Department of Justice to seek remand of the final rules listed in subparagraph (b) by judicial orders holding all litigation concerning the final rules listed in subparagraph (b) in abeyance until such time as the Administrator takes final action to rescind the Clean Power Plan. The Administrator shall immediately cease all efforts related to implementation of the actions listed in subparagraph (b), including without limitation by immediately ceasing any expenditures related to implementation of the final rules listed in subparagraph (b) except as directly required by applicable appropriations.

(f) The Secretary of the Interior shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the Final Rule, “Oil and Gas: Hydraulic Fracturing on Federal and Indian Lands,” published at 80 Federal Register 16128 (March 26, 2016), and all other rules and guidance published pursuant thereto.

#### *Sec. 5. Withdrawal of the Greenhouse Gases Endangerment Finding*

Pursuant to Section 705 of the Administrative Procedures Act, 5 U.S.C. 705, I hereby find that justice requires a permanent, administrative stay and revision or withdrawal of the “Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act” published at 74 Federal Register 66496 (December 15, 2009).

The Administrator of the EPA shall also consider petitions filed with the Agency to reconsider the this or any other related endangerment finding and, where appropriate, grant such petitions where the effect of such grants would effectuate the purposes of this Executive Order.

In conducting its reconsideration, revision or withdrawal of endangerment findings, EPA shall

rigorously apply EPA and OMB “Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies.”

#### *Sec. 6. GHG Reporting Rule*

The EPA Administrator shall review and, unless not justified by sound science or legal constraints, grant requests or petitions for reconsideration of the Subpart W Greenhouse Gas Reporting rule, and engage in rule-making intended to remedy that rule’s most onerous requirements.

#### *Sec. 7. Social Cost of Greenhouse Gases*

(a) I find that multiple independent reviews of the basis for estimating a social cost of carbon or greenhouse gases document the fundamental weaknesses in these estimators. They fail to meet the requirements of appropriate use of information disseminated by federal agencies under the Information Quality Act guidelines and as such are without sufficient quality, objectivity, utility, and integrity to support decision-making regarding the value of greenhouse gas reductions.

(b) The Interagency Working Group on Social Cost of Greenhouse Gases shall be dissolved immediately.

(c) The guidance document titled “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866” (July 2015), and all predecessor or successor documents, and any other guidance or policies promulgated thereto are hereby rescinded.

(d) The guidance document titled “Addendum to Technical Support Document on Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866: Application of the Methodology to Estimate the Social Cost of Methane and the Social Cost of Nitrous Oxide” (August 2016), and all predecessor or successor documents, and any other guidance or policies promulgated thereto is hereby rescinded.

(e) All regulatory agencies and any Executive Branch Department or Agency preparing environmental assessments or impact statements shall immediately suspend use of “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” estimates in any regulatory or National Environmental Policy Act (NEPA) analyses.

(f) Each Agency or Department shall (i) report to OMB, CEQ and CEA each instance in which the “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” has been used (specifying the regulation, guidance or analysis); (ii) amend any environmental assessments or environmental impact analyses prepared under NEPA, withdrawing any reliance upon an estimated “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide”; and (iii) amend any regulatory impact analysis for any major

rule to eliminating any reliance upon “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” estimates.

*Sec. 8. NEPA*

Consonant with other sections of this Executive Order, the following memorandum and guidance promulgated by the Council on Environmental Quality is hereby revoked:

Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews, Dated August 1, 2016.

Each Agency or Department shall (i) report to CEQ and CEA each instance in which NEPA analyses incorporated or otherwise applied the above identified Final Guidance, or drafts of that Guidance (specifying the regulation, guidance or analysis); (ii) amend any environmental assessments or environmental impact analyses prepared under NEPA, withdrawing any reliance upon the Draft or Final Guidance; and (iii) amend any regulatory impact analysis for any major rule to eliminating any reliance upon the Draft or Final Guidance.

*Sec. 9. General Provisions*

- (a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,  
January 20, 2017

## DRAFT Messaging Points

### *Executive Order Top Line*

- The job of regulators is to make things regular, to help add certainty, not to add confusion, not to add costs and not to add hurdles to the growth of the American economy. This Executive Order is welcome relief to most Americans, small business owners and job creators. The EPA looks forward to adopting these guidelines and helping get America back to work.

###

## EXECUTIVE ORDER

### Improving Cost-Benefit Analysis of Energy and Environmental Regulation

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

#### **Section 1.** *Policy*

Under Executive Order 12866, or in the event that Order is rescinded, the currently approved regulatory analysis Order, and other orders and guidance promulgated pursuant thereto, the Office of Information and Regulatory Affairs is entrusted with ensuring that executive agencies promulgate regulations based on sound analysis of regulatory costs and benefits and consistent with the legal constraints imposed on the agencies by Congress.

#### **Sec. 2.** *Definition*

“Co-benefit” is defined as a favorable impact of the regulatory action or alternative under consideration that is unrelated or secondary to the primary purpose of the action.

#### **Sec. 3.** *Reforming the Inclusion of Co-Benefits in Cost Benefit Analysis*

(a) For purposes of complying with Executive Order 12866 and all other Executive Orders issued pursuant thereto, the “benefits” of a regulatory action shall only include those benefits directly associated with the regulatory purpose of the action and shall not include any alleged co-benefits of that action, unless unambiguously required by federal statute.

(b) Nothing in subparagraph (a) shall be construed as prohibiting an agency from separately estimating the alleged co-benefits of a regulatory action, but such benefits may not be the basis or purpose of regulatory decision-making and shall not be taken into account during such decision-making.

**Sec. 4.** *Comparing Domestic Costs to Domestic Benefits*

In complying with Executive Order 12866 and all other executive orders or OMB guidance pertaining to the costs and benefits of regulatory action, an agency shall calculate the action's domestic costs and domestic benefits. Non-domestic costs and benefits shall be excluded from the agency's analysis unless unambiguously required by statute.

**Sec. 5.** *General Provisions*

- (a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) This order shall be implemented with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

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THE WHITE HOUSE  
January 20, 2017



**DRAFT Messaging Points**

*Executive Order Top Line*

- The Environmental Protection Agency looks forward to being a constructive partner to help other federal agencies and American industry get to work immediately rebuilding our infrastructure. EPA will not be an impediment to growth. EPA will help spur growth while ensuring American families are healthy. We can and we will achieve both clean air, clean water and a healthy environment while rebuilding our critical infrastructure.

###

Executive Order----Expediting Critical Infrastructure Projects

EXECUTIVE ORDER

Expediting Environmental Review and Permitting of Critical Infrastructure Projects

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Section 1. *Purpose.*

The National Environmental Policy Act declares "it is the continuing responsibility of the Federal Government to use *all practicable means, consistent with other essential considerations of national policy*, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may . . . *attain the widest range of beneficial uses of the environment* without degradation, risk to health or safety, or other undesirable and unintended consequences." 42 USC§4331(b)(3). Today the United States faces a crisis in maintaining and improving its critical infrastructure. In order to achieve beneficial uses of the environment by all practical means, it is necessary to streamline the environmental review and permitting process so that critical infrastructure projects, such as updating our electrical grid, and repairing and upgrading our ports, airports, pipelines, bridges and highways, can be accomplished with reasonable expedition in order to provide for the General Welfare.

Section 2. *Declaration of Infrastructure Projects as Critical.*

Upon application by the Governor of a State, or the head of any federal agency or department, or on his or her own initiative, the Chairman of the White House Council on Environmental Quality (CEQ) shall, within no more than 30 calendar days after an application is received, designate infrastructure projects as "critical" or "non-critical" after consideration of their importance to the General Welfare, their likely environmental and other net benefit, and such other factors as CEQ deems relevant. This Order does not apply to infrastructure projects funded under the Clean Water Act and Safe Drinking Water Act grant and revolving funds.

Section 3. *Deadlines.*

Upon designation of an infrastructure project as critical, CEQ shall establish a deadline for completion of environmental assessment and permitting of the project, and all agencies and instrumentalities of the federal government shall give their highest priority to completing environmental assessment and permitting by the established deadline, which may be shorter but shall not be longer than two (2) years after designation as critical except in extraordinary cases approved by CEQ. During the assessment and permitting period established by CEQ, notwithstanding any other provision of law or regulations, all agencies and instrumentalities of the federal government shall prioritize their analysis first on the environmental and other issues anticipated to be most material and important to whether the project should go forward.

Section 4. *Decision.*

At the end of the assessment period established by CEQ, the decision-maker authorized by law to approve the project shall review the available information and decide whether it is sufficient to approve the project on the grounds that the project will provide net benefits to the environment or will provide benefits to other important national priorities that are substantially in excess of its costs or adverse effects, or whether a request to CEQ for an extension of the assessment period is necessary. In deciding whether to request or grant an extension, both the decision-maker and CEQ shall consider not only the benefits of additional study, but also the costs of delay.

Section 5. *Procedures.*

This Executive Order establishes procedures and priorities for internal management of the Executive Branch and does not create any rights for any persons outside the Executive Branch, including but not limited to right to notice and comment or judicial review. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Executive Order---Expediting Critical Infrastructure Projects [Day 1]

EXPLANATORY STATEMENT

Delays and other inefficiencies in the environmental review and permitting process are severely impeding critically important projects to rebuild and modernize our nation's infrastructure, such as highways, bridges, tunnels, the electrical grid, ports, water systems, airports, railways and pipelines. As a result of our cumbersome permitting process, America's infrastructure is crumbling: half of traffic accidents are due to road conditions, the antiquated power grid wastes the equivalent of 200 coal-fired power plants, gridlock on roads and railroads wastes \$300 billion annually, and ancient water pipes leak two trillion gallons of water. The accompanying Executive order would establish a process and assign responsibilities to expedite environmental review and permitting for critical infrastructure projects.

Add CWA/~~SDWA~~ SDWA

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## DRAFT Messaging Points

### *Top Line*

- Energy independence is not only vital to our national security, it ensures cheap and readily available energy for all Americans. Natural gas is one of Americas most abundant resources and its time Americans were put to work producing natural gas and building the infrastructure to mine and deliver natural gas. EPA will do everything in our power to help this effort while protecting the health of the American people.

###

### MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

SUBJECT: LNG Export Licensing

Thanks to the shale revolution, the U.S. is now the world's largest natural gas producer and has become one of the world's lowest cost gas producers. This provides the U.S. with a real opportunity to sell its gas on the global market through LNG exports, and in turn help ensure the long-term viability for domestic natural gas production and related infrastructure projects. A single LNG facility can result in billions of dollars in infrastructure development and economic growth at the national, state and local levels. A project can result in 9,000 construction jobs over a five year period and many permanent jobs that pay well above the national average. LNG exports can also provide U.S. allies in Europe and Asia with an alternative source of energy, lessening their dependency on natural gas from the Middle East and Russia. It is an opportunity not only for U.S. companies to benefit, but for our allies around the world to become less reliant on energy from hostile, less-reliable sources.

The Natural Gas Act provides the Department of Energy with the authority to authorize natural gas exports. For exports to non-Free Trade Agreement countries, DOE conducts an informal adjudication and grants LNG export applications unless it finds that doing so is not in the public interest. Final decisions on applications cannot be rendered before a NEPA review is completed. For LNG terminals onshore or in state waters, FERC serves as the lead agency in the NEPA review, and for offshore facilities, MARAD serves as the lead agency (DOE serves as a cooperating agency in both cases).

In 2014, the Department of Energy announced that rather than continuing to act on applications based on the order of precedence posted on the DOE website (and then issuing conditional decisions prior to completion of NEPA reviews, as needed), it would act on applications to export LNG from the lower-48 to non-Free Trade Agreement countries only after completing NEPA reviews. Under this new regime some authorization requests are still awaiting resolution more than four years after having been submitted to the federal government.

Accordingly, I request that they Secretary move as expeditiously as possible to review and either approve or deny all pending export authorization requests within 180 days. Further, I request the

Secretary of Energy to initiate a review of the Department's LNG Export Authorization Program and report back to me within 180 days with recommendations for ensuring timely decision making on authorization requests made to the Department.

Nothing in this memorandum shall be construed to require the disclosure of classified, proprietary, law enforcement sensitive, or other information protected under governing law. This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations. This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

**DRAFT Messaging Points***Executive Order Top Line*

- Clean air is achieved through a partnership of common sense laws, not by regulations designed to stifle growth. This Executive Order reestablishes a basic principle that regulations should comply with the laws of nature. We can't regulate nature. We can regulate human activity and we can over regulate human activity, and in fact we have been over regulating human activity.
- The job of regulators is to make things regular, to help add certainty, not to add confusion, not to add costs and not to add hurdles to the growth of the American economy. This Executive Order is welcome relief to many Americans, businesses and especially to the states who are forced to comply to rules designed to be impossible to comply with.
- America had the cleanest air in the world before this 2015 rule and we will continue to have clean, healthy air because this rule did nothing to improve the air quality.

###

## EXECUTIVE ORDER

**Restoring the Rule of Law, Federalism, and Economic Growth  
by Rescinding the "2015 Ozone NAAQS" Rule**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of Congress's power to determine the scope of federal regulatory power over air quality, subject in turn to the limits imposed on Congress by the Constitution, it is hereby ordered as follows:

*Section 1. Policy.*

It is in the national interest to ensure that the States and the U.S. Environmental Protection Agency (EPA), in partnership, restore and maintain air quality, while at the same time promoting economic growth and minimizing regulatory uncertainty.

It is also recognized States require sufficient time to implement National Ambient Air Quality Standards (NAAQS) and that revision of NAAQS is proper only where the effectiveness of existing NAAQS compliance is known and where EPA uses all new data that can inform establishing a NAAQS.



It is in the national interest to base regulations on information of high quality and certainty, and to limit regulation implementation where uncertainties overwhelm the ability of the executive to determine whether the proposed regulations have a net beneficial effect on the nation.

Is in the national interest to rigorously apply EPA and OMB Guidelines for Ensuring and maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies.

It is not possible to establish a zero-risk natural environment and it is not in the national interest to promulgate regulations that would require reduction of chemicals found in ambient air to levels below that found in nature at normal, unpolluted background concentrations.

## Section 2. *Findings*

EPA reduced the Ozone NAAQS from 75 parts per billion to 70 using selected, questionable studies and ignored contradictory studies. For many parts of the country 70 parts per billion is at or near the natural background level of ozone. It is difficult, and perhaps, impossible to sort out background levels from manmade portions of ambient ozone levels. The EPA estimated background levels using modeling that the Agency qualified as limited in accuracy. EPA also rejected establishing background levels on measured results from monitors in remote locations, a reasonable alternative that yields higher background levels than modeling. Even using the lower background estimates from modeling, background levels exceed 80% of the measured ambient levels in some locations. EPA also departed from its normal regulatory practices, by continuing to use the three-year average of the fourth highest day measurement, or 99<sup>th</sup> percentile, while the next most stringent NAAQS uses the seventh highest day, or the 98<sup>th</sup> percentile.

## Section 3. *Rescission of the 2015 Ozone NAAQS*

(a) The Administrator of the U.S. Environmental Protection Agency shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the 2015 Ozone NAAQS rule published at 80 Federal Register 65292 (October 26, 2015), and all other rules and guidance published pursuant thereto, including the October 1, 2015, Directives “Implementing the 2015 Ozone National Ambient Air Quality Standards”.

(b) The Administrator shall also consider petitions filed to reconsider the rule listed in subparagraph (a), and any other rules and guidance published pursuant thereto; and, where appropriate, grant such petitions where the effect of such grants would effectuate the purposes of this Executive Order.

## Sec. 4. *General Provisions.*

- (a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) This order shall be implemented with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,  
January 20, 2017

## DRAFT Messaging Points

### *Top Line Points*

- All standards should have period reviews and I believe the stakeholders involved with the Renewable Fuel Standard will welcome this review as an opportunity to provide stability and certainty. I look forward to working with Members of Congress, the States and industry and most importantly listening to the voices of the American people and then report our findings back to the President as directed.

###

## MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

SUBJECT: Renewable Fuel Standard

The Renewable Fuel Standard (RFS) was created in 2005 and expanded by the Energy Independence and Security Act of 2007 (EISA). The program mandates that transportation fuels sold in the U.S. contain an increasing volume of renewable fuels including conventional ethanol, advanced biofuels, cellulosic ethanol and biodiesel – each of which have its own target volumes set forth in statute. EPA administers the RFS program and sets the annual volumetric requirements for each of the four biofuels categories through a formal rulemaking process.

Compliance issues with the RFS program have arisen from the fact that volumetric requirements set forth in EISA were based on projections of what U.S. gasoline consumption would be – projections which have been proven to be highly inaccurate because they did not take into account decreasing gasoline demand brought on by the slumping U.S. economy and increased fuel efficiency standards implemented by the Obama Administration. This is important because many auto engine warranties are voided if drivers use gasoline containing more than 10% ethanol and gasoline station pumps and underground storage tanks are only certified for gasoline containing 10% ethanol or less. This confluence is called the E-10 Blendwall. Compliance issues have also arisen from the fact that Congress dramatically overestimated the volume of advanced biofuels and cellulosic ethanol that would be or could be produced by the renewable fuels industry. At present, these two fuels are not economically competitive and can only be produced at a significant economic inefficiency that redounds on marketplace participants.

Concerns have also been raised regarding the point of obligation for the program. Several refiners have filed lawsuits against EPA and also petitioned the agency to change its regulations which place the point of obligation for compliance with the RFS on refiners, blenders and importers of gasoline and diesel. In November 2016, EPA published a proposed denial of the petitions and is taking public comments on the issue until February 22, 2017.

Accordingly, I am requesting the Administrator of the Environmental Protection Agency to conduct a programmatic review of the Renewable Fuel Program and report back to me with recommendations for the long-term viability of the program. In conducting this review, the Administrator shall consider whether any changes to the program are necessary. If the Administrator determines that any such changes are necessary, the recommendations shall include proposed regulatory or legislative revisions to the program

Nothing in this memorandum shall be construed to require the disclosure of classified, proprietary, law enforcement sensitive, or other information protected under governing law. This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations. This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

## **DRAFT Messaging Points**

### *Executive Order Top Line*

- Science is by definition never settled. That is why a great man once said science should be the servant not the master of man. Thanks to this Executive Order, EPA will return sound science to its proper role. We will open our scientific efforts and debates to public discussion and invite wide ranging and varied views. What we find will be held accountable to common sense and facts. The American people will be able to judge for themselves if the findings made by government are cause for government action.

###

### Executive Order – Ensuring Scientific Rigor in Agency Decisions

## EXECUTIVE ORDER

### Ensuring Scientific Rigor in Agency Decisions

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish consistent policies and procedures governing transparency, accountability and scientific rigor in agency decision-making throughout the Federal Government, it is hereby ordered as follows:

#### **Section 1. Definitions.**

For purposes of this order:

- (a) "agency" shall have the meaning given in section 551(1) of title 5, United States Code.
- (b) "Comment Period" means any opportunity provided by law or agency discretion for the public or any other agency to provide comment or information to an agency on any Regulatory Proposal or Regulatory Decision.
- (c) "Regulatory Decision" means any decision by an agency of the United States that directly or indirectly establishes rules, standards, guidelines or other norms applicable to any member of the public or any agency.
- (d) "Regulatory Proposal" means any proposed, tentative or draft Regulatory Decision that an agency makes available to a Comment Period.

#### **Sec. 2. Mandatory Measures to Provide Transparency, Accountability, and Scientific Rigor in Agency Decision-making.**

- (a) All Regulatory Proposals and Regulatory Decisions by an agency shall cite the

specific page and, where possible, the paragraph of any document containing data or information upon which the agency is relying, explain how the cited data or information supports the proposal or decision, and list any documents reviewed by the agency in connection with the proposal or decision and upon which the agency is not relying. No agency may base any Regulatory Proposal or Regulatory Decision on any data or information contained in a personal communication that is not in writing, unless the Secretary of the department in which the agency is located, or an equivalent agency head, certifies in writing the reasons the agency was required to use data or information that is not in writing, and such certificate is posted on the agency's Web site or another widely available government Web site.

(b) Each regulatory agency shall rigorously apply OMB "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies."

(c) An agency shall post on its Web site during any Comment Period on any Regulatory Proposal by the agency the full text of every document upon which the agency relies in making the Regulatory Proposal.

(d) After the close of any Comment Period on a Regulatory Proposal, an agency shall post on its Web site as soon as practicable the full text of any newly obtained document, not posted under subsection (b) of this section, upon which the agency expects to rely in a final decision, stating when and how the document came to the agency's attention, and providing an agency e-mail address to which comments regarding the document from the public or other agencies can be transmitted for a period of not less than 14 days.

(e) An agency shall request supporting original data from the author of any document upon which the agency relies in any Regulatory Proposal or Regulatory Decision and shall post any such data on its Web site in accordance with subsections (b) and (c) of this section; if the author refuses to provide the supporting data, the agency must post or note the refusal on its Web site and explain in any final decision why it chose to rely upon the document despite the refusal. An agency shall explain in any Regulatory Proposal or Regulatory Decision what efforts the agency made to verify the accuracy of all data or information in any document upon which the agency relies.

(f) An agency shall post on its Web site all comments on a Regulatory Proposal received from any member of the public or any other agency at any time before the agency makes a final decision on the proposal.

(g) An agency shall include in all Regulatory Proposals and Regulatory Decisions the name or title and a brief statement of the professional background of all agency professional staff or contractors who worked on, contributed to, or reviewed the proposal or decision, a statement of the number of hours each such person devoted to the proposal or decision, a description of what tasks each such person performed on the proposal or decision, including identifying by name or title the persons with principal drafting responsibilities for sections of the proposal or decision.

### **Sec. 3. *Oversight of Agency Compliance.***

The Director of the Office of Management and Budget shall oversee agency compliance with this order, and shall deliver to the President annually beginning December 31, 2013 a report evaluating such compliance by each agency.

### **Sec. 4. *A Scientific Integrity Policy***

(a) The Director of the White House Office of Science and Technology Policy (OSTP) shall issue a new scientific integrity policy for federal agencies within 60 days that shall include the following elements:

- Reiterate the six principles identified in President Obama's March 9, 2009, Memorandum on Scientific Integrity;
- Ensure agency compliance with all relevant laws (IQA, DAA, and FOIA);
- Ensure that all major agency actions rely solely on the best available science that is publicly available and reproducible and which meets the OMB "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies";
- Prohibit any government scientist from signing a nondisclosure agreement or otherwise take actions to intentionally avoid FOIA requests, even with international partners (unless a matter of strict national security);
- Establish more transparent procedures for what is a "highly influential scientific" document as defined by the Information Quality Act;
- Require federal agencies to update/issue internal scientific integrity policy within 60 days of the issuance of the new OSTP policy and submit to OSTP for review. The policy would go into effect on the day in which OSTP approves it.

(b) The Director of OSTP to review all federal scientific assessment programs to determine whether they are necessary/redundant, and in appropriate cases, recommend their elimination by Congress, this review to be completed within 120 days.

(c) With respect to the programs that are not eliminated under the preceding subparagraph (b), OMB (OIRA) shall have authority to review the assessments, in order to ensure compliance with the December 16, 2004, OMB Memorandum entitled "Final Information Quality Bulletin for Peer Review," and OMB shall return a rule for further revision in every case the Agency has not fully complied with either IQA guidance or the Peer Review Bulletin.

### **Sec. 4. *General Provisions.***

(a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted

by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

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THE WHITE HOUSE,  
January 20, 2017



## **DRAFT Messaging Points**

### *Executive Order Top Line*

- Under the Waters of the United States Rule the government has claimed the right to regulate every ounce of standing water, from a puddle in the yard to a farmer's feeding pond. Not only have the courts stayed this rule, the American people have told their Members of Congress that this rule an overreach that must stop. Thanks to this Executive Order the EPA will be able to rescind the Waters of the U.S. rule and return EPA its proper place in keeping water clean and safe and returning at least a little sanity to government.

###

## EXECUTIVE ORDER

### Restoring the Rule of Law, Federalism, and Economic Growth by Rescinding the "Waters of the United States" Rule

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of Congress's power to determine the scope of federal regulatory power over navigable waters, subject in turn to the limits imposed on Congress by the Constitution, it is hereby ordered as follows:

#### **Section 1. Policy.**

It is in the national interest to ensure that the States and EPA, in partnership, restore and maintain the chemical, physical and biological integrity of the nation's navigable waters, while at the same time promoting economic growth and minimizing regulatory uncertainty.

#### **Sec. 2. Rescission of the Waters of the United States Rule.**

- (a) The Administrator of the Environmental Protection Agency (EPA) and the Commanding General and Chief of Engineers of the U.S. Army Corps of Engineers (USACE) shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the Final Rule, "Clean Water Rule: Definition of 'Waters of the United States,'" published at 80 Federal Register 37054 (June 29, 2015), and all other rules and guidance published pursuant thereto.
- (b) The Administrator of EPA, the Commanding General and Chief of Engineers of the USACE, and heads of all executive agencies shall promptly move to rescind any orders, rules, regulations, guidelines, or policies implementing or enforcing the rule listed in subparagraph (a).
- (c) The Administrator of the EPA shall also consider petitions filed with the Agency to reconsider the rule listed in subparagraph (a) and, where appropriate, grant such petitions where

the effect of such grants would effectuate the purposes of this Executive Order.

(d) With respect to litigation before the Federal courts related to rules listed in subparagraph (a), the Administrator shall take all available measures to effectuate this Order, including by promptly directing the U.S. Department of Justice to seek remand of the final rule listed in subparagraph (a) by judicial orders holding all litigation concerning the final rules listed in subparagraph (a) in abeyance until such time as the Administrator takes final action to rescind the final rule listed in subparagraph (a). The Administrator shall immediately cease all efforts related to implementation of the final rule listed in subparagraph (a), including without limitation by immediately ceasing any expenditures related to implementation of the final rule listed in subparagraph (a) except as directly required by applicable appropriations.

### **Sec. 3.** Appropriate Exercise of Enforcement Discretion.

Until the definition of “Waters of the United States” is revised pursuant to this order, the EPA, the USACE, and all executive agencies shall construe “navigable waters,” as defined in 33 U.S.C. 1362(7), in a manner consistent the opinion of Justice Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).<sup>1</sup>

### **Sec. 4.** *General Provisions.*

(a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

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THE WHITE HOUSE,  
January 20, 2017

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<sup>1</sup> “[T]he phrase ‘the waters of the United States’ includes only those relatively permanent, standing or continuously flowing bodies of water ‘forming geographic features’ that are described in ordinary parlance as ‘streams[,] ... oceans, rivers, [and] lakes.’”; and, “wetlands with a continuous surface connection to bodies that are ‘waters of the United States’ in their own right, so that there is no clear demarcation between ‘waters’ and wetlands, are ‘adjacent to’ such waters and covered by the Act.”



pull

check WOTUS

### EXPLANATORY STATEMENT

American landowners and companies currently spend \$1.7 billion every year on wetlands permits-approvals from federal regulators to use lands near what the federal government defines as navigable waters. That figure comes from comments filed by the U.S. Chamber of Commerce and nearly 400 other organizations opposing efforts by the Environmental Protection Agency and Army Corps of Engineers to expand federal regulators' authority even further.<sup>1</sup>

The agencies rejected their pleas, and finalized the "Waters of the United States Rule." It purports to interpret the Clean Water Act, which grants the federal agencies regulatory power over "navigable waters," which the Act defines in turn as "the waters of the United States" (33

U.S.C. § 1362(7)). But the EPA's and Army Corps's rule goes much further than actually navigable waters, like rivers or streams, or even lands near rivers and streams that are wet year-round. Instead, the agencies' rule purports to reach many more lands that have what the agencies claim to be a "significant nexus" to actually navigable waters-to be determined on a case-by-case basis casting an immense cloud of regulatory uncertainty over families, farms, and businesses that want simply to put their own land to good use.

The "WOTUS" Rule has been universally criticized by chambers of commerce and other organizations opposed to national control of land management. Indeed, the U.S. Chamber of Commerce has denounced the rule for putting the EPA "effectively in charge of zoning the entire country."<sup>2</sup>

The National Association of Manufacturers says that the EPA's and Army Corps's rule "exerts power over a staggering range of man-made and isolated features - even if they are usually dry or too small to appear on a map. The definitions are complex and vague, and often require case-by-case determinations by the agencies."<sup>3</sup>

And the National Association of Homebuilders sums up the rule's disastrous impact on everyday lives: "While many wetlands and streams are an important part of the ecosystem and should be protected, the new definition represents federal overreach of the worst kind: more permits, more regulation and more costs without a corresponding environmental benefit. The new 'waters of the U.S.' definition means, for example, that a builder in Arizona would have to get a permit for an activity in a dry desert wash that could be 30 miles from the nearest river. Such intrusive federal encroachment is bad governance and will inevitably lead to bureaucratic delays, increased project costs and mitigation fees, and ultimately, decreased housing affordability."<sup>4</sup>

Simply put, the Waters of the United States Rule runs roughshod over both federalism and the limits that Congress imposed upon these federal agencies. It should be rescinded through

1 <https://www.uschamber.com/comment/multi-organization-comments-epa-a-ncl-usace-propose-clear-definition-waters-the-unit-ed-states>

2 <https://www.uschamber.com/above-the-fold/full-stream-a-head-whY-epa-s-wa-tel-rule-goes-too-far>

3 <http://www.nam.org/Issues/Water-Regulations/-sthah.oRBEIY39.dpuf>

4 <http://www.nahb.org/cn/research/nahb-priorities/waterlands.aspx>

( ' ) notice-and-comment rulemaking, beginning with an executive order directing the agencies to  
, repeal the rule.

And while that process is pending, the President should direct the agencies to exercise their enforcement discretion very carefully, by honoring the bright line drawn by Justice Scalia in his opinion for the Court's four-justice plurality in *Rapanos v. United States* (2006). "Navigable waters" should include only waters that are *navigable in fact-only* "continuous flow[s] of water in a permanent channel," and not merely "intermittent flows," let alone ditches or drains that are only rarely damp.

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## NEXT STEPS: LITIGATION

Like the Clean Power Plan, the "Waters of the United States" rule promulgated by the EPA and Army Corps already is the subject of major litigation. A federal district court issued a preliminary injunction prohibiting the agencies from enforcing it while appeals are pending. More importantly, a similar prohibition - a "stay" pending appeal- has been issued by the U.S. Court of Appeals for the Sixth Circuit, the court that will hear all cases challenging the merits of the rule.

Under Sixth Circuit's briefing schedule (dated June 14, 2016, in case nos. 15-3751 *et al.*), briefing in this case will not conclude until after the inauguration, on Feb. 17, 2017. Oral argument will then follow, meaning that a decision will not be reached until well into 2017- and the stay-pending-appeal will prevent enforcement of the rule until that time .

Thus, as with the Clean Power Plan , the court's stay-pending-appeal is a gift, because it gives the new Administration space to formulate its own policy free of any obligation to continue to implement the Obama Administration's policy.

But to leverage the court' s temporary relief for as long as possible, the new Administration must take immediate steps to freeze the litigation itself in place: for as long as the litigation is frozen, the Court's stay-pending-appeal order remains locked in place, too .

C This executive order contains express language ordering the Justice Department to file a motion in the Sixth Circuit requesting that the litigation be held in abeyance- see Section 2(c). The parties challenging the rule would almost certainly join that motion, greatly increasing the likelihood that the court will grant the motion.

■ But even if that litigation-management language is ultimately removed from the executive order itself, it is incumbent upon the new Administration, through the Justice Department representing the EPA and USACE, to immediately take affirmative steps to hold the current litigation in abeyance , allowing the Sixth Circuit's stay to remain in effect indefinitely.

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 4/17/2017 11:38:51 PM  
**Subject:** Re: REMINDER: You owe us information!

How about right after your 3.30 meeting?

Sent from my iPhone

On Apr 17, 2017, at 2:18 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Well....OK. Any particular good time for you? I've got meetings (all EDT) from 9AM – 11AM and then from 2PM – 3:30PM.

**From:** Ericksen, Doug  
**Sent:** Monday, April 17, 2017 4:27 PM  
**To:** Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)>  
**Subject:** Re: REMINDER: You owe us information!

Dan. We will have to do this via phone. I am working from West Coast.

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 12:54 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Sure thing! Just name the time. I have to do new employee orientation at 9:45AM, but I'm free after that. Want me to come down to your office?  
Remind me where that is. Also, send me an electronic invitation.

See you Monday.

---

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 3:43:03 PM  
**To:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!



Can we go over it on Monday? I cannot think it will take long. My life is not complicated

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 9:17 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Well, you did submit your first draft of the report. But, we sent you back the comments below on 3/17 that you need to respond to. I'm telecommuting today, but I'll can be reached by phone or email. I'm also physically back in the office on Monday.

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

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**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 11:20:43 AM  
**Cc:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Dan. When is a good time to talk about correcting my report? I thought I had finished it.

Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Doug,

Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: REMINDER: You owe us information!

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

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**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** REMINDER: You owe us information!

Hi,

On March 17, OGC/Ethics returned your new entrant report to you with comments (see below). You have not yet finalized your report, so we can't certify it. Your report has been requested by the public, so you need to answer our questions so we can certify your report. Otherwise, we may not have any choice but to release it as is.

Comments of Reviewing Officials

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code  
2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC  
20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-  
1772

**To:** Schnare, David[schnare.david@epa.gov]; Kreutzer, David[kreutzer.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 3:52:24 PM  
**Subject:** Non-EPA response team

David and David,

As your time allows I would like to sit down with you to put together a list of scientists and professionals who can provide balance to the climate change CO2 conversation.

We can discuss more in person.

Doug Ericksen

**To:** Personal Email/Ex. 6  
**From:** Ericksen, Doug  
**Sent:** Tue 2/21/2017 12:48:42 PM  
**Subject:** Emailing: Clean power Plandje.docx, Climate, GHG, coaldje.docx, endangerment findingdje.docx, Final - Climate Change (002).docx, GHG reportingdje.docx, Message points for Executive Orders that Impact the EPAdje.docx  
Clean power Plandje.docx  
Climate, GHG, coaldje.docx  
endangerment findingdje.docx  
Final - Climate Change (002).docx  
GHG reportingdje.docx  
Message points for Executive Orders that Impact the EPAdje.docx

Your message is ready to be sent with the following file or link attachments:

Clean power Plandje.docx  
Climate, GHG, coaldje.docx  
endangerment findingdje.docx  
Final - Climate Change (002).docx  
GHG reportingdje.docx  
Message points for Executive Orders that Impact the EPAdje.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Message Points:            Withdrawal of the EPA's "Clean Power Rule"

- The "Clean Power Rule" was a clear and unconstitutional over reach by the EPA. The past Administration attempted to circumvent the United States Congress and promulgate a rule exceeding their authority.
- Many states have been engaged in legal action on this rule and the courts have ruled in favor of the states to this stage.
- Under this Executive order we will withdraw the rule and work with the states and Congress ensure that we balance our economy, energy production, and our environment.
- This executive order will encourage domestic energy production, create jobs, propel our economy, and do it as the world leaders in technology and environmental protection.



Message Points: CLIMATE CHANGE, GREEN HOUSE GASES, WAR ON COAL EXECUTIVE ORDER

- The President has issued an executive order making it very clear that we will utilize domestic energy resources in an environmentally responsible fashion. I am looking forward to working with the career professionals at the EPA to implement this vision.
- Rule, regulations, and executive orders over the past eight years, and even longer, have harmed our ability to create good jobs in America. We will bring balance back to the system, we will protect our environment, and we will create new manufacturing opportunities in the states.
- The President's Executive Order eliminates the overreach of the EPA and focuses on State's rights by pulling back rules and regulations that clearly exceeded the authority of the EPA, such as the so called Clean Power Rule.
- This executive order will help return power back to the states where it belongs. The EPA will again become a partner with the states for environmental protection and economic development.
- Under this executive order we will return to science based decision making. More voices will be heard. There will be more seats at the table. Science will drive our decision making process.

Message Points:           Endangerment Finding Reconsideration

- It is time to revisit the endangerment finding the carbon poses an air quality threat to human health.
- The Endangerment Finding provides the basis for many actions taken by the EPA since 2009. It is vitally important the United States that we apply the highest scientific rigor and process as we revisit this finding.
- The process used to reach conclusions in the 2009 Endangerment Finding needs to be improved to allow more voices to be heard and allow the science that was not considered to be considered.
- We will let the science guide us on this issue as we revisit the 2009 Finding.
- In order to accomplish the goals of the Executive Order we will apply “Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies.”

## EXECUTIVE ORDER

### **War on Coal: Restoring the Rule of Law, Federalism, and Economic Growth by Rescinding Climate Change Directives**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of Congress's power to determine whether and how to effectuate Federal regulation of greenhouse gas emissions, or otherwise respond to the potential for climate change; the opportunity costs imposed by federal climate change activities that diminish the ability of Departments and Agencies to meet their core responsibilities; the States' traditional power to regulate electricity generation, distribution, and use; the principle that the U.S. Environmental Protection Agency (EPA) shall, when implementing the Clean Air Act programs of this nation, work cooperatively with the States to achieve shared environmental goals; and the imperative to promote policies in the national interest and for the benefit of American workers and their families; it is hereby ordered as follows:

#### Section 1. *Policy.*

It is in the national interest to ensure that the nation's electricity is affordable, reliable, safe, secure, and clean, and available to be produced from coal, natural gas, nuclear power, hydropower, other renewables, and other domestic sources.

It is the policy of the United States that executive departments and agencies including the EPA shall take appropriate actions, to the extent consistent with applicable law, to ensure clean air and clean water for the American people in cooperation with the States and according to standards both as set forth by Congress, in respect of the proper roles of Congress and the States concerning these matters in our constitutional republic.

It is the policy of the United States that federal regulations and directives be based on careful consideration of science and principles of science reflecting input from the entirety of the scientific community; and that those agencies with statutory responsibility for regulation and formulation of directives integrate scientific knowledge in the first instance, rather than rely on that conducted by other units of government or international bodies.

It is the policy of the United States that when promulgating federal regulations for the environment, it is necessary to ensure that policy solutions comport with the law, provide substantially more benefits than the costs imposed, accurately gauge those costs, reflect the opportunity costs of policy solutions, achieve meaningful environmental improvements for the American people, and are developed through transparent procedures using the best available science.

#### Sec. 2. *Rescission of Certain Climate-Related Actions.*

(a) The following Presidential actions are hereby revoked:

Executive Order 13754 of December 9, 2016, which addressed Northern Bering Sea Climate Resilience.

Executive Order 13653 of November 1, 2013, which required certain actions by the Federal government and other entities concerning climate change;

Executive Order 13677 of September 23, 2014 (Climate-Resilient International Development), which set requirements for systematically integrating climate-resilience considerations into U.S. international development work;

The Presidential Memorandum of June 25, 2013, concerning "Power Sector Carbon Pollution Standards", 78 Fed. Reg. 39,535 (July 1, 2013);

The Report of the Executive Office of the President entitled, "The President's Climate Action Plan," dated June 2013; and,

The Presidential Memorandum of September 21, 2016, entitled, "Climate Change and National Security".

The Presidential Memorandum of December 5, 2013, entitled "Federal Leadership on Energy Management."

The Presidential Memorandum of February 03, 2010, entitled, "A Comprehensive Federal Strategy on Carbon Capture and Storage.

(b) Executive Order 13693 of March 19, 2015, (Planning for Federal Sustainability in the Next Decade), which directed Federal actions to improve environmental performance and Federal sustainability, is amended by deleting: (1) section 1 through section 15; (2) the first sentence of section 16(a); (3) "Therefore," of the second sentence of section 16(a); (3) sections 16(d) through 16(e); and sections 17 through 20.

(c) The Administrator of EPA, the Council on Environmental Quality (CEQ), and heads of all executive departments and agencies shall (i) promptly identify every order, rule, regulation, guideline, or policy implementing or enforcing the Presidential actions listed in subparagraph (a); (ii) specify the source of authority for each; (iii) shall terminate, effective today, any actions based on said Presidential actions immediately, and otherwise stay and move to rescind each such activity (including funding) until the Office of Management and Budget authorizes/directs reinvestment, modification or cessation of the program/project, unless required unambiguously by statute.

### Sec. 3. United Nations Framework Convention on Climate Change (UNFCCC).

(a) On March 17, 2016, the State of Palestine became a Party to the UNFCCC, an affiliated organization of the United Nations. Since March 17, 2016, the United States has continued to make contributions, including financial contributions, to the Convention, which are contrary to section 410(1) of Public Law 103-236, the Foreign Relations Authorization Act, Fiscal Years

1994 and 1995, and are violations of the Antideficiency Act.

(b) Each Executive Department or Agency shall immediately terminate, effective today, all contributions, including financial contributions, to the UNFCCC, including its subsidiary bodies, its financial mechanisms (Green Climate Fund and Global Environment Facility), the Least Developed Countries Fund, the Special Climate Change Fund, the Adaptation Fund, as well as to the Intergovernmental Panel on Climate Change (IPCC) for any UNFCCC-requested Special Report, Methodological Report, or Technical Report.

(c) Each Executive Department or Agency who have made contributions, including financial contributions, to the UNFCCC, from March 17, 2016 to today, are directed to report immediately the amounts of those contributions to the Office of Management and Budget and to make every effort to recover those amounts from the UNFCCC, including its subsidiary bodies, its financial mechanisms (Green Climate Fund and Global Environment Facility), the Least Developed Countries Fund, the Special Climate Change Fund, the Adaptation Fund, as well from the Intergovernmental Panel on Climate Change (IPCC), as appropriate.

(d) Pursuant to Article 25 of the UNFCCC, the United States withdraws from the UNFCCC, including the "Paris Agreement" of 2015.

(e) The Department of State is directed to immediately give written notification of its withdrawal to the Depository per Article 25(1) of the UNFCCC, to wit, the Secretary-General of the United Nations.

*Sec. 4. Withdrawal of the EPA's "Clean Power Plan" and Related Rules.*

(a) On February 10, 2015, the United States Supreme Court stayed implementation of EPA's "Clean Power Plan", which regulation remains stayed by that Court's order. Section 705 of the Administrative Procedures Act, 5 U.S.C. 705, provides further legal authority for this Administration to establish an additional executive stay of the Clean Power Plan. In particular, Section 705 authorizes the Administration, when it "finds that justice so requires," to postpone the effective date of agency action pending judicial review.

For the reasons justifying the stay order of the Supreme Court, and other pertinent reasons set forth by the States opposing the Clean Power Plan and related rules, I hereby find that justice requires a permanent, administrative stay and consideration for revision or withdrawal of the Clean Power Plan and similar and related rules. To that end, the Administrator of EPA shall promptly administratively stay the final rules listed in subparagraph (b) pursuant to the authority recognized by Section 705 of the Administrative Procedure Act.

The Administrator of the EPA shall also consider petitions filed with the Agency to reconsider the Clean Power Plan and, where appropriate, grant such petitions where the effect of such grants would effectuate the purposes of this Executive Order.

The Administrator of EPA shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the final rules listed in subparagraph (b) below, along with any orders, rules, regulations, guidelines, or policies implementing or enforcing those final rules, to the extent consistent with law, and shall terminate, effective today, any actions based on those rules. The Administrator shall also promptly take final action to withdraw the proposed rules

listed in subparagraph (b) below. Where appropriate, the Administrator shall simultaneously take action to promulgate in revised form any of the rules listed in subparagraph (b) below.

(b) Final or proposed rules for withdrawal or recession pursuant to subparagraph (a):

Final Rule, "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," published at 80 Federal Register 64661 (October 23, 2015) (also known as the "Clean Power Plan").

Final Rule, "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units," published at 80 Federal Register 64509 (October 23, 2015).

Final Rule, "Standards of Performance for Municipal Solid Waste Landfills" published at 81 Federal Register 59332 (August 29, 2016).

Final Rule, "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources," published at 81 Federal Register 35824 (June 3, 2016).

Final Rule, "Source Determination for Certain Emission Units in the Oil and Natural Gas Sector," published at 81 Federal Register 35622 (June 3, 2016).

Final Rule, "Finding That Greenhouse Gas Emissions From Aircraft Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare," published at 81 Federal Register 54421 (August 15, 2016); and the associated EPA denial of the Biogenic CO<sub>2</sub> Coalition's petition for reconsideration of this final action.

Revised Guidance, "Guidance for Implementing Section 141 of the Energy Independence and Security Act of 2007, Federal Vehicle Fleets and Low Greenhouse Gas-Emitting Vehicles," published at EPA-420-B-16-055 (May 2016).

Proposed Rule, "Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations; Proposed Rule," 80 Federal Register 64966 (October 23, 2015).

Proposed Rule, "Revisions to the Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas (GHG) Permitting Regulations and Establishment of a Significant Emissions Rate (SER) for GHG Emissions Under the PSD Program," published at 81 Federal Register 68110 (October 3, 2016).

(c) The Administrator shall have the discretion to commence administrative proceedings both to reconsider and to rescind the rules listed in subparagraph (b) in a manner that is consistent with the Clean Air Act and other applicable law including the limitations on the Administrator's discretion and consistent with constitutional principles of federalism and separation of powers, while also providing for significant interagency input in the Administrator's reconsideration processes and any subsequent related rulemaking processes, if any.

(d) The Administrator shall rescind EPA's "Legal Memorandum Accompanying Clean Power Plan for Certain Issues," which was published in conjunction with the Clean Power Plan, and said memorandum shall be of no further force or effect.

(e) With respect to litigation before the Federal courts related to rules listed in subparagraph (b) of this Section, the Administrator shall take all available measures to effectuate the directive in subparagraph (a), including by promptly directing the U.S. Department of Justice to seek remand of the final rules listed in subparagraph (b) by judicial orders holding all litigation concerning the final rules listed in subparagraph (b) in abeyance until such time as the Administrator takes final action to rescind the Clean Power Plan. The Administrator shall immediately cease all efforts related to implementation of the actions listed in subparagraph (b), including without limitation by immediately ceasing any expenditures related to implementation of the final rules listed in subparagraph (b) except as directly required by applicable appropriations.

(f) The Secretary of the Interior shall immediately take all steps necessary to effectuate the lawful withdrawal and rescission of the Final Rule, "Oil and Gas: Hydraulic Fracturing on Federal and Indian Lands," published at 80 Federal Register 16128 (March 26, 2016), and all other rules and guidance published pursuant thereto.

#### *Sec. 5. Withdrawal of the Greenhouse Gases Endangerment Finding*

Pursuant to Section 705 of the Administrative Procedures Act, 5 U.S.C. 705, I hereby find that justice requires a permanent, administrative stay and revision or withdrawal of the "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act" published at 74 Federal Register 66496 (December 15, 2009).

The Administrator of the EPA shall also consider petitions filed with the Agency to reconsider the this or any other related endangerment finding and, where appropriate, grant such petitions where the effect of such grants would effectuate the purposes of this Executive Order.

In conducting its reconsideration, revision or withdrawal of endangerment findings, EPA shall rigorously apply EPA and OMB "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies."

#### *Sec. 6. GHG Reporting Rule*

The EPA Administrator shall review and, unless not justified by sound science or legal constraints, grant requests or petitions for reconsideration of the Subpart W Greenhouse Gas Reporting rule, and engage in rule-making intended to remedy that rule's most onerous requirements.

#### *Sec. 7. Social Cost of Greenhouse Gases*

- (a) I find that multiple independent reviews of the basis for estimating a social cost of carbon or greenhouse gases document the fundamental weaknesses in these estimators. They fail to meet the requirements of appropriate use of information disseminated by federal agencies under the Information Quality Act guidelines and as such are without sufficient quality, objectivity, utility, and integrity to support decision-making regarding the value of greenhouse gas reductions.
- (b) The Interagency Working Group on Social Cost of Greenhouse Gases shall be dissolved immediately.
- (c) The guidance document titled “Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866” (July 2015), and all predecessor or successor documents, and any other guidance or policies promulgated thereto are hereby rescinded.
- (d) The guidance document titled “Addendum to Technical Support Document on Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866: Application of the Methodology to Estimate the Social Cost of Methane and the Social Cost of Nitrous Oxide” (August 2016), and all predecessor or successor documents, and any other guidance or policies promulgated thereto is hereby rescinded.
- (e) All regulatory agencies and any Executive Branch Department or Agency preparing environmental assessments or impact statements shall immediately suspend use of “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” estimates in any regulatory or National Environmental Policy Act (NEPA) analyses.
- (f) Each Agency or Department shall (i) report to OMB, CEQ and CEA each instance in which the “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” has been used (specifying the regulation, guidance or analysis); (ii) amend any environmental assessments or environmental impact analyses prepared under NEPA, withdrawing any reliance upon an estimated “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide”; and (iii) amend any regulatory impact analysis for any major rule to eliminating any reliance upon “Social Cost of Carbon” or the “Social Cost of Greenhouse Gases” or the “Social Cost of Methane” or the “Social Cost of Nitrous Oxide” estimates.

#### *Sec. 8. NEPA*

Consonant with other sections of this Executive Order, the following memorandum and guidance promulgated by the Council on Environmental Quality is hereby revoked:

Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews, Dated August 1, 2016.



Each Agency or Department shall (i) report to CEQ and CEA each instance in which NEPA analyses incorporated or otherwise applied the above identified Final Guidance, or drafts of that Guidance (specifying the regulation, guidance or analysis); (ii) amend any environmental assessments or environmental impact analyses prepared under NEPA, withdrawing any reliance upon the Draft or Final Guidance; and (iii) amend any regulatory impact analysis for any major rule to eliminating any reliance upon the Draft or Final Guidance.

*Sec. 9. General Provisions*

- (a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,  
January 20, 2017

Message Points:           Green House Gas Reporting Rule

- The President has directed the EPA through Executive Order to fully review the Green House Gas Reporting Rule.
- Under this direction I will work with the career professionals at the EPA reconsider this rule, and work to remedy the most onerous aspects of this rule.
- We will grant requests or petitions for reconsideration as we work to fix this rule.

## Message points

### For Overall Theme on Executive Orders that Impact the EPA

- The President of the United States has issued a number of Executive Orders that give direction to the Environmental Protection Agency. I am looking forward to working with the career professionals at the EPA to implement these Executive Orders.
- The Executive orders issued by the President will focus our time, our resources, and our energy on the core functions of the EPA—Protecting public health and the environment. We are looking forward to the challenge.
- The President has sent a clear message with his executive orders, we are going to protect public health and the environment while creating more manufacturing jobs here in America and utilizing our vast energy resources. I know that we can do it.
- Executive Orders issued by the President make it clear that we are going to expand the number people at the table, not limit the number. We are going hear from more voices, not fewer. We are going to become more transparent, not less.
- Science will drive the decisions of the EPA. We will increase the number of scientists who have the ability to shape our future, not limit the number. EPA shall rigorously apply EPA and OMB “Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies”.
- We need to understand and remember that when a person uses the word “consensus” they are no longer speaking as a scientist but as a politician.
- Over the past 8 years, and even longer, the EPA has drifted away from its core mission of protecting public health and the environment. The Executive Orders issued by the President are the first steps towards returning to the core mission.
- The Executive Orders issued by the President make it clear we are going to invest in America, we are going to work with States. We are going to drive resources to projects that clean up and protect our environment, to projects that ensure safe drinking water, and we will move away from those activities which are not part of our core mission.

#### TEXT OF EO:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of Congress's power to determine whether and how to effectuate

Federal regulation of greenhouse gas emissions, or otherwise respond to the potential for climate change; the opportunity costs imposed by federal climate change activities that diminish the ability of Departments and Agencies to meet their core responsibilities; the States' traditional power to regulate electricity generation, distribution, and use; the principle that the U.S. Environmental Protection Agency (EPA) shall, when implementing the Clean Air Act programs of this nation, work cooperatively with the States to achieve shared environmental goals; and the imperative to promote policies in the national interest and for the benefit of American workers and their families; it is hereby ordered as follows:

Section 1. *Policy.*

It is in the national interest to ensure that the nation's electricity is affordable, reliable, safe, secure, and clean, and available to be produced from coal, natural gas, nuclear power, hydropower, other renewables, and other domestic sources.

It is the policy of the United States that executive departments and agencies including the EPA shall take appropriate actions, to the extent consistent with applicable law, to ensure clean air and clean water for the American people in cooperation with the States and according to standards both as set forth by Congress, in respect of the proper roles of Congress and the States concerning these matters in our constitutional republic.

It is the policy of the United States that federal regulations and directives be based on careful consideration of science and principles of science reflecting input from the entirety of the scientific community; and that those agencies with statutory responsibility for regulation and formulation of directives integrate scientific knowledge in the first instance, rather than rely on that conducted by other units of government or international bodies.

It is the policy of the United States that when promulgating federal regulations for the environment, it is necessary to ensure that policy solutions comport with the law, provide substantially more benefits than the costs imposed, accurately gauge those costs, reflect the opportunity costs of policy solutions, achieve meaningful environmental improvements for the American people, and are developed through transparent procedures using the best available science.

**To:** rbravender@eenews.net[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/14/2017 2:15:30 PM  
**Subject:** Ericksen at EPA

Good morning Robin.

Saw the headline on the story that referenced that I was “eyeing” an EPA post.

I think that this headline is very misleading.

I was asked a question at a press conference and I clearly stated that I have a temporary job with the EPA, I do not want to live in DC, and that if the Trump administration were to offer me a regional job with Interior, AG, or EPA I would consider it. I think that I was also clear that no offers had been made and no discussions had taken place on that subject.

I don't know who writes you headlines, but this one is causing me a lot of serious problems at work yesterday and today.

All the best.

Doug Ericksen

**To:** Borges-Silva, Quentin[Borges-Silva.Quentin@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 4/17/2017 8:29:01 PM  
**Subject:** Re: why is epa.gov hosting a copy of the entire website as of January 19, 2017?

Thank you for your email. I am no longer working in communications. Please contact John Konkus.

Doug

Sent from my iPhone

On Apr 14, 2017, at 9:31 AM, Borges-Silva, Quentin <[Borges-Silva.Quentin@epa.gov](mailto:Borges-Silva.Quentin@epa.gov)> wrote:

Good afternoon, Mr. Ericksen.

I sent you a correspondence policy suggestion on February 1 but received no response. I am writing to you today about a discovery I just made and to ask why EPA is hosting a copy of its website as it existed the day before President Trump's inauguration? <https://19january2017snapshot.epa.gov/>

I work in communications in the Office of Pesticide Programs and am, therefore, quite familiar with Agency web policy. Agency policy prohibits posting redundant content, and the date associated with this site strongly suggests that its creation and posting was a partisan political act that may violate the Hatch Act. The Drupal web management system that EPA uses records the identity of people who post and edit web pages, but my administrative rights in Drupal are currently limited to Pesticide Program areas. With my current credentials, I cannot see who posted the January 19 snapshot. If you decide this issue is worth looking into and correcting, I would be happy to assist you.

Sincerely,

Quentin Borges-Silva

EPA's Office of Pesticide Programs

“Protecting Human Health & the Environment”

**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 3:33:35 PM  
**Subject:** Re: Have a moment to chat this morning?

In a meeting  
Will call soon

Sent from my iPhone

On Jan 25, 2017, at 10:32 AM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

Now following up reports that y'all have been asked to take down climate website and data.  
can you give a call?

Cheers,  
cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport



**To:** Personal Email/Ex. 6  
**From:** Ericksen, Doug  
**Sent:** Tue 2/21/2017 12:48:41 PM  
**Subject:** Emailing: draft recusal statement.docx, Hatch Act chart December 2015 (003).docx, PPO Bio Sheet.pdf, rec letter 10.docx  
[draft recusal statement.docx](#)  
[Hatch Act chart December 2015 \(003\).docx](#)  
[PPO Bio Sheet.pdf](#)  
[rec letter 10.docx](#)

Your message is ready to be sent with the following file or link attachments:

draft recusal statement.docx  
Hatch Act chart December 2015 (003).docx  
PPO Bio Sheet.pdf  
rec letter 10.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

OFFICE OF  
THE ADMINISTRATOR

### **MEMORANDUM**

SUBJECT:    Recusal Statement

FROM:       Doug Ericksen  
              Senior Advisor

TO:          Don Benton  
              Senior White House Advisor

              Charles Munoz  
              White House Liaison

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me unless I first obtain a written waiver, pursuant to § 208(b)(1), or qualify for a regulatory exemption, pursuant to § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Because I am employed as an outside activity by the State of Washington, I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on the State. My recusal covers not only particular matters involving specific parties in which the State of Washington is or represents a party, but also particular matters of general applicability such as rulemakings, guidances, and policies that focus on all States, which is the discrete and identifiable class in which Washington is included.

In consultation with the Office of General Counsel, I will revise and update this memorandum whenever is warranted by changed circumstances, including changes in my financial interests, my personal or business relationships, or the nature of my official duties.

cc: Justina Fugh, Senior Counsel for Ethics

## Political Activities and Federal Employees

The Hatch Act, enacted in 1939, was amended in 1993 and 2012. It regulates the political activities of executive branch employees, excluding the President and Vice President. The following table summarizes what political activities EPA employees can and cannot do based on their appointment. Note: Public Health Service officers must adhere to 45 CFR Part 73, Subpart F, which is most similar to the Career SES/ALJ column.

**Political activity means an activity “directed toward the success or failure of a political party, a candidate for partisan political office, or a partisan political group.”**

Type of Activity	PAS*	Non-Career SES, Schedule C*, Title 42, SL/ST, AD*, GS, Other	Career SES, ALJs
<b>Personal</b>			
Express support for or opposition to a political candidate when off duty	Yes	Yes	Yes
Run as a partisan candidate for nomination or office in a partisan election	No	No	No
Solicit and accept contributions for your campaign in a non-partisan election	Yes	Yes	Yes
Solicit a contribution from a member of your union	N/A	Yes	N/A
Work a phone bank asking individuals to volunteer	Yes	Yes	No
Campaign on behalf of a candidate in a partisan election	Yes	Yes	No
Be active on behalf of a candidate at political rallies or meetings	Yes	Yes	No
Attend political rallies and meetings	Yes	Yes	Yes
Contribute money to political organizations	Yes	Yes	Yes
Work in non-partisan voter registration drives	Yes	Yes	Yes
Register and vote	Yes	Yes	Yes
Sign a nominating petition	Yes	Yes	Yes
Distribute campaign material in a partisan election	Yes	Yes	No
Work as an election judge, poll watcher, clerical worker on election day	Yes	Yes	Yes
Drive people to polling station on behalf of a campaign	Yes	Yes	No
<b>Affecting Official Resources</b>			
Use office time for political activity	Yes; IG-No	No	No
Use official space for political activity in general	Yes; IG-No	No	No
<b>Fundraising</b>			
Attend a political fundraiser	Yes	Yes	Yes
Solicit, accept or receive political contributions in general	No	No	No
Solicit or receive a political contribution on government premises	No	No	No
Plan or organize a political fundraiser when off duty	Yes	Yes	No
Sponsor, host, or allow your name as sponsor/host for a political fundraiser	No	No	No
Serve drinks or check coats at a political fundraiser	Yes	Yes	No
Speak at a partisan fundraiser without appealing for money	Yes	Yes	No
Allow only your name to be listed as speaker on fundraising invitation	Yes	Yes	No

\*PAS = Political Appointee Confirmed by the Senate; Schedule C = political appointees not confirmed by Senate; AD = Administratively Determined; SES = Senior Executive Service

The White House  
Presidential Personnel Office  
**SKC/SES BIO SHEET**

This information is necessary to begin the clearance process. Return to White House Liaison when completed.

**PART I: PERSONAL INFORMATION (TO BE COMPLETED BY THE CANDIDATE)**

1. FULL NAME (Last, First, Middle):

**Douglas John Ericksen**

2. SOCIAL SECURITY NUMBER:

**SSN/Ex. 6**

3. CURRENT RESIDENTIAL ADDRESS (Number, Street, City, State, ZIP Code)

**Personal Address/Ex. 6**

4. VOTING ADDRESS IN 2016 (Number, Street, City, State, ZIP Code, if different than current address)

same as above

5. PLACE OF BIRTH (City, State; if not U.S., state, country)

**Personal Matters/Ex. 6**

6. GENDER

**Male**

7. DATE OF BIRTH

**Personal Matters/Ex. 6**

8. ETHNIC HERITAGE

**Personal Matters/Ex. 6**

9. RACE

**Personal Matters/Ex. 6**

10. POLITICAL PARTY

**Republican**

11. HOME PHONE

**Personal Phone/Ex. 6**

12. CELL PHONE

**Personal Phone/Ex. 6**

13. WORK PHONE

**360-786-7682**

14. PERSONAL EMAIL

**Personal Email/Ex. 6**

15. WORK EMAIL

**Doug@SenatorEricksen.com**

16. CURRENT POSITION (Title, Company)

**State Senator Washington State**

17. WORK ADDRESS (Number, Street, City, State, Zip)

**414 Legislative Building Olympia, WA 98504-0442**

18. PLEASE LIST ALL SOCIAL MEDIA ACCOUNTS (Or say none if you have none)

Facebook—personal under Doug Ericksen  
Campaign Web page at [www.DougEricksen.com](http://www.DougEricksen.com)  
Twitter account is inactive for past several years

Facebook—Senate under Senator Ericksen  
Legislative web page [www.SenatorEricksen.com](http://www.SenatorEricksen.com)

19. EDUCATION (Degree, Institution, Year)

**BA Government Cornell University 1991  
MA Environmental Policy Western Washington University 1995**

20. AWARDS

**Several legislator of year awards from various pro-business organizations.**

21. MILITARY SERVICE (Rank, Branch, Years)

**none**

22. PREVIOUS PRESIDENTIAL APPOINTMENTS

**EPA Transition Team 2017**

**PART II: POSITION INFORMATION (TO BE COMPLETED BY WHITE HOUSE LIAISON)**

1. POSITION TITLE

2. AGENCY

2. APPOINTMENT TYPE

3. GRADE

4. OPM NUMBER

5. WH LIAISON NAME

6. WH LIAISON PHONE

7. WH LIAISON EMAIL

## Doug Ericksen—EPA Transition Team Communication Lead

### Recommendation for Region 10 EPA Administrator

Doug Ericksen is currently serving on the EPA Transition Team as the Communications Lead. He is also serving as State Senator and Chairman of the Energy, Environment and Telecommunications Committee in Washington State. Doug has expressed interest and willingness to serve the Trump Administration as the Region 10 EPA Administrator.

It is my belief that Sen. Doug Ericksen has the experience, knowledge, skill set, courage and the tenacity to lead Region 10 under the Trump Administration.

As a State Senator and Committee Chairman Doug has firsthand knowledge and experience working on key environmental issues that are impacting Region 10. These include energy production and transport, brownfield redevelopment, water quality standards, mining, forestry, and agricultural issues. He has been tested under fire and proven he can win on the most complicated issues in the challenging political environment on the West Coast. Ericksen has managed staff, interest groups, and business advocates effectively to get results.

Ericksen served as the Deputy Director for the Trump Campaign in Washington State. He was an early endorser and supporter of President Trump. Doug served as lead media contact for then candidate Trump in the print, radio, and TV markets in the Northwest. He was a very visible Trump supporter in all media markets. Ericksen was the lead organizer for the 3 Trump Rallies in Washington state, including the Lynden rally which he organized in less than 72 hours after the Seattle airport location was cancelled by local elected officials.

On the Transition Team Ericksen serves on our executive team and leads our communications efforts. In this capacity he has been involved in all key decisions made by the team and is involved with all aspects of the current transition operation. Being part of the executive team on the transition provides critical knowledge on how the EPA works and how it can work better.

Ericksen has a MA in Environmental Policy and a strong commitment to clean air, clean water, and public health. He is an avid outdoorsman, hunter, kayaker, and hiker. He understands the region, has a vision for transforming how the EPA operates, and is an excellent choice for this position.

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 4/17/2017 8:26:53 PM  
**Subject:** Re: REMINDER: You owe us information!

Dan. We will have to do this via phone. I am working from West Coast.

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 12:54 PM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Sure thing! Just name the time. I have to do new employee orientation at 9:45AM, but I'm free after that. Want me to come down to your office? Remind me where that is. Also, send me an electronic invitation.

See you Monday.

---

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 3:43:03 PM  
**To:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Can we go over it on Monday? I cannot think it will take long. My life is not complicated

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 9:17 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

Well, you did submit your first draft of the report. But, we sent you back the comments below on 3/17 that you need to respond to. I'm telecommuting today, but I'll can be reached by phone or email. I'm also physically back in the office on Monday.

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 11:20:43 AM  
**Cc:** Fort, Daniel  
**Subject:** Re: REMINDER: You owe us information!

Dan. When is a good time to talk about correcting my report? I thought I had finished it.

Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Doug,  
Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: REMINDER: You owe us information!

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

---



**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** REMINDER: You owe us information!

Hi,

**Personal Matters/Ex. 6**

Comments of Reviewing Officials

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code  
2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC  
20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-  
564-1772

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 3:17:10 PM  
**Subject:** RE: # of political appointee/senate-confirmed positions

If a list you have easy access to I would like to see it.

Thanks .

Ericksen

**From:** Grantham, Nancy  
**Sent:** Tuesday, March 14, 2017 10:02 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: # of political appointee/senate-confirmed positions

All below are senate confirmed - do you want list of others?

Sent from my iPhone

On Mar 14, 2017, at 9:39 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Nancy,

Thank you.

Do we know how many are appointed but not Senate confirmed?

Doug

**From:** Grantham, Nancy  
**Sent:** Monday, March 13, 2017 4:20 PM

**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Grantham, Nancy  
<Grantham.Nancy@epa.gov>  
**Subject:** RE: # of political appointee/senate-confirmed positions

**EPA has 14 positions that are Presidentially Appointed/Senate Confirmed:**

Administrator (Scott Pruitt)

Deputy Administrator

General Counsel

Chief Financial Officer

Assistant Administrator for Administration and Resources Management

Assistant Administrator for Air and Radiation

Assistant Administrator for Water

Assistant Administrator for Land and Emergency Management

Assistant Administrator for Chemical Safety and Pollution Prevention

Assistant Administrator for Environmental Information

Assistant Administrator for Enforcement and Compliance Assurance

Assistant Administrator for International and Tribal Affairs

Assistant Administrator for Research and Development

Inspector General (Arthur Elkins)

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

**From:** Ericksen, Doug  
**Sent:** Monday, March 13, 2017 2:51 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** FW: # of political appointee/senate-confirmed positions

I would be interested in seeing answers to this questions if you have them handy.

Doug Ericksen

**From:** Davenport, Coral [<mailto:coral.davenport@nytimes.com>]  
**Sent:** Wednesday, March 8, 2017 4:23 PM  
**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>; Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** # of political appointee/senate-confirmed positions

Hi, Cathy and Doug,

Just circling back on these questions:

How many positions at EPA are politically appointed? How many of those require Senate confirmation? I've heard it's about 80 politically appointed & about 15 requiring Senate confirmation. Is that right? Can you confirm? Of the politically appointed positions, how many are actually filled now?

Also: can you let me know if administrator Pruitt met with Kisylak or any other Russian officials during the transition?

And: can you give any further confirmation on timing of CAFE announcement? Hearing

next week but would be helpful to know for guidance.

Thanks so much,

Coral

--

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)

O 202-862-0359

C 703-618-0645

Twitter @CoralMDavenport

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 2:12:43 PM  
**Subject:** Ericksen, media requests

Can you get me the list?

Thanks.

Doug

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/21/2017 12:33:03 PM  
**Subject:** Re: heads up re: Coral Davenport here today

Is Sab part of EPA

Sent from my iPhone

On Feb 21, 2017, at 7:06 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

<image001.gif>

Reminder that she has an outstanding request to talk about the Science Advisory Board – clean air committee

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal** (mobile)



**To:** Fedor Kossakovski [Personal Email/Ex. 6]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/13/2017 8:45:02 PM  
**Subject:** RE: EPA response to NewsHour questions re: transition

Fedor.

I did not use the term going black. We had a pause on social media, but we have been communicating with the media through traditional means and our regions are also responding to media requests.

Other than that I would say you sum up well.

Doug Ericksen

-----Original Message-----

**From:** Fedor Kossakovski [Personal Email/Ex. 6]  
**Sent:** Monday, February 13, 2017 3:43 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Miles O'Brien <[Personal Email/Ex. 6]>; Will Toubman <[Personal Email/Ex. 6]>  
**Subject:** EPA response to NewsHour questions re: transition

Hello again Doug,

Thank you for calling and for responding to my questions. To summarize, you said: going dark on social media is just to facilitate transition, there is no gag order, just prepping for a new administrator right now, work with the career EPA professionals is going well, people are free to back up data sets but federal law would prohibit EPA from erasing that data. Am I characterizing that correctly?

Miles, Will: This is Doug Ericksen, communication lead for the EPA transition team. I asked him the few basic questions we were asking all the agencies. He is available for further questions via this email address, he said.

Best,  
Fedor

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 4/14/2017 7:43:04 PM  
**Subject:** Re: REMINDER: You owe us information!

Can we go over it on Monday? I cannot think it will take long. My life is not complicated

Doug Ericksen

Sent from my iPhone

On Apr 14, 2017, at 9:17 AM, Fort, Daniel <[Fort.Daniel@epa.gov](mailto:Fort.Daniel@epa.gov)> wrote:

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

---

**From:** Ericksen, Doug  
**Sent:** Friday, April 14, 2017 11:20:43 AM  
**Cc:** Fort, Daniel  
**Subject:** Re: REMINDER: **Personal Matters/Ex. 6**

Dan. When is a good time to talk about correcting my report? I thought I had finished it.  
Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Doug,  
Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A |  
Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground

deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: REMINDER: **Personal Matters/Ex. 6**

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

---

**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** REMINDER: You owe us information!

Hi,

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A |  
Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground  
deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**To:** David Kreutzer[david@whatsthetruth.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 2:10:58 PM  
**Subject:** RE: congrats

David,

Doug Ericksen here. Do you have a few minutes to go over the EPA web page with me? We will be making some changes and I am looking for some advice.

Ericksen

**From:** David Kreutzer [mailto:david@whatsthetruth.com]  
**Sent:** Monday, January 23, 2017 3:54 PM  
**To:** Davenport, Coral <coral.davenport@nytimes.com>  
**Cc:** Kreutzer, David <kreutzer.david@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: congrats

Thanks. For the moment, anyway, I have to refer you to our acting comms person, Doug Erickson, 202.564.3131, who is copied in this message.

David

Sent from my iPhone

On Jan 23, 2017, at 3:18 PM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

On the move to EPA! What position are you holding there? What's your new work email?  
And would you have a moment to chat?

Cheers,

Coral

--

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)

O 202-862-0359

C Personal Phone/Ex. 6

Twitter @CoralMDavenport



**To:** Milbourn, Cathy[Milbourn.Cathy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/20/2017 7:55:46 PM  
**Subject:** Re: John: Fox News Channel Request

Got it

Sent from my iPhone

On Feb 20, 2017, at 2:53 PM, Milbourn, Cathy <Milbourn.Cathy@epa.gov> wrote:

You are correct! BTW-- did the President and Vice President's portraits get hung on the various walls around the agency? I can't recall seeing them.

Cm

Sent from my iPhone  
Cathy Milbourn  
Office of Media Relations  
202-564-7849

Personal Phone/Ex. 6

On Feb 20, 2017, at 2:47 PM, Konkus, John <konkus.john@epa.gov> wrote:

Doug can respond if he would like. Otherwise, it's kind of an obvious thing, the former president's portrait comes down and the new President's portrait goes up. Not exactly breaking news.

**From:** Milbourn, Cathy  
**Sent:** Monday, February 20, 2017 2:46 PM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Subject:** Fwd: John: Fox News Channel Request

John:

Would you like me to loop you in with the reporter?

Sent from my iPhone

Cathy Milbourn

Office of Media Relations

202-564-7849

Personal Phone/Ex. 6

Begin forwarded message:

**From:** "Singman, Brooke" <[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)>  
**Date:** February 20, 2017 at 2:25:19 PM EST  
**To:** "Milbourn, Cathy" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Subject:** RE: Fox News Channel Request

Hi Cathy,

Status? I have waited long after my deadline...

**From:** Milbourn, Cathy [<mailto:Milbourn.Cathy@epa.gov>]  
**Sent:** Monday, February 20, 2017 12:37 PM  
**To:** Singman, Brooke <[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)>  
**Subject:** Re: Fox News Channel Request

Checking

Sent from my iPhone

Cathy Milbourn

Office of Media Relations

202-564-7849

Personal Phone/Ex. 6

On Feb 20, 2017, at 12:09 PM, Singman, Brooke  
<[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)> wrote:

Hi Cathy,

Where are we on this?

Thanks,

Brooke

**From:** Milbourn, Cathy [<mailto:Milbourn.Cathy@epa.gov>]  
**Sent:** Monday, February 20, 2017 10:49 AM  
**To:** Singman, Brooke <[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)>  
**Subject:** Re: Fox News Channel Request

Ok

Sent from my iPhone

Cathy Milbourn

Office of Media Relations

202-564-7849

Personal Phone/Ex. 6

On Feb 20, 2017, at 10:49 AM, Singman, Brooke  
<[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)> wrote:

a little bit of both?

Sent from my iPhone

On Feb 20, 2017, at 10:47 AM, Milbourn, Cathy  
<[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Brooke question--

Are you referring to EPA headquarters in DC or regional offices?

Sent from my iPhone

Cathy Milbourn

Office of Media Relations

202-564-7849

Personal Phone/Ex. 6

On Feb 20, 2017, at 10:34 AM, Singman, Brooke  
<[brooke.singman@FOXNEWS.COM](mailto:brooke.singman@FOXNEWS.COM)> wrote:

**From:** Singman, Brooke  
**Sent:** Monday, February 20, 2017 10:33 AM  
**To:** 'Milbourne.cathy@epa.gov' <[Milbourne.cathy@epa.gov](mailto:Milbourne.cathy@epa.gov)>  
**Subject:** Fox News Channel Request

Hi Cathy,

Looking for a comment or statement on behalf of EPA civil servants and employees regarding hanging portraits of the President around the agency. Obviously President Trump has different ideas about the environment than that of the Obama administration, and wondered if you could give me a comment on the record regarding the climate within the agency surrounding the transition, and hanging up portraits of the new President. I'm hearing reports of employees complaining at one local office, just highlighting the battle between Trump supporters and non-supporters.

I am on deadline for 11:30am EST.

An emailed comment is sufficient.

Thank you,

Brooke Singman  
Reporter, Fox News Channel

212-301-5303

Personal Phone/Ex. 6

[Brooke.singman@foxnews.com](mailto:Brooke.singman@foxnews.com)

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

**To:** Kevin Bogardus[kbogardus@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/13/2017 6:08:02 PM  
**Subject:** Re: PRESS RELEASE: Federal Employee Free Speech Tied in Knots

Will call in 30 minutes

Sent from my iPhone

On Feb 13, 2017, at 10:52 AM, Kevin Bogardus <[kbogardus@eenews.net](mailto:kbogardus@eenews.net)> wrote:

Doug, John and Julia,

Hi, it's Kevin Bogardus with E&E News.

I'm working on a piece about PEER being critical of the recent EPA ethics advisory that I reported on last week (please see below). Also, here is the EPA ethics advisory in question ([http://www.eenews.net/assets/2017/02/09/document\\_gw\\_09.pdf](http://www.eenews.net/assets/2017/02/09/document_gw_09.pdf)). Does EPA have any response to PEER's criticism?

Please get back to me as soon as possible. My deadline is 12:30 PM EST but the sooner you get back, the more it helps my reporting. Thank you for your help.

-Kevin

**From:** Kirsten Stade [<mailto:kstade@peer.org>]  
**Sent:** Monday, February 13, 2017 10:10 AM  
**To:** Kirsten Stade <[kstade@peer.org](mailto:kstade@peer.org)>  
**Subject:** FW: PRESS RELEASE: Federal Employee Free Speech Tied in Knots

Having trouble with images or links? [Click here](#) and also try adding us ([info@peer.org](mailto:info@peer.org)) to your address book.

For Immediate Release: Monday, February 13, 2017  
Contact: Kirsten Stade (240) 247-0296

## **FEDERAL EMPLOYEE FREE SPEECH TIED IN KNOTS**

### **Ethical Quagmires Line Narrow Path of Federal Workers' Ability to Speak Out**

Washington, DC — Federal employees concerned about Trump White House actions face legal constraints on their freedom to protest, according to ethics warnings posted today by Public Employees for Environmental Responsibility (PEER). Some restrictions are clear but others are subject to interpretation.

The biggest limitation is that government workers have no – as in zero – First Amendment free speech rights when acting in their official role. That is because the government owns their speech according to a major constitutional ruling by the Roberts Supreme Court back in 2006. Government workers can regain free speech rights only by stepping out of that official role and acting as private citizens.

That transformation is not always straightforward, however, as even White House aides are discovering:

- A new U.S. Environmental Protection Agency ethics advisory cautions that even on their own time acting as individuals “we urge you...if possible, not refer to EPA position or title. If you feel you must refer to your EPA position or title, then the prudential advice is to do so as one of several biographical details with EPA not having any undue prominence”;
- Since President Trump has already filed paperwork for reelection, he is now covered by the Hatch Act. Thus last week, the U.S. Office of Special Counsel advised that “federal employees, while on duty or in the workplace, [are barred] from expressly advocating for or against his reelection”; and
- According to restrictions on indirect or grassroots lobbying, “employees may not explicitly or implicitly encourage the public to contact Congress in support of, or in opposition to, a legislative proposal” but are allowed to “inform the public of the Agency’s or the Administration’s position on legislative proposals,” per a memo from EPA’s Office of General Counsel.

Thus, it is unclear what more a federal climate scientist from a particular agency must disclose about him or herself in order to make those facts not unduly prominent. Similarly, there is no bright line flagging when a federal scientist speaking out about the value of his or her research is “implicitly encouraging the public to contact Congress.” In the same way, water-cooler grousing about the adverse effects of Trump policies could be used as the basis for charging the Hatch Act violation of advocating his removal.

“Federal employees who depart from the official talking points enter murky waters,” stated Executive Director Jeff Ruch of PEER which counsels federal workers on free speech issues. “Unlike White House staff who are merely counseled about clear ethics violations, public employees trying to educate the public about the consequences of Trump initiatives

may be targeted for discipline or removal.”

Federal employees are exploring ways to circumvent these restrictions. For example since the Trump White House temporarily shut down and then sanitized the official National Park Service twitter account, more than 60 independent but agency-specific twitter accounts, most run by agency staff, have sprung up. These rogue or Alt-accounts have far more followers and traffic than official social media ever did.

“Besides social media, organizations like PEER, federal unions and even professional scientific societies will increasingly become channels for public employee free speech,” added Ruch, noting that PEER has been assisting several of the Alt-agency twitter accounts. “Times have changed – both the public and public employees are demanding more candor and have less tolerance for censorship than ever before.”

###

[View EPA ethics advisory](#)

[Read the OSC Hatch Act opinion](#)

[See grassroots lobbying memo](#)

[Revisit Supreme Court ruling on total absence of public service free speech rights](#)

[Look at Trump purge of Park Service twitter](#)

\* To unsubscribe from future emails, go to <http://org.salsalabs.com/o/823/unsubscribe.jsp>. To update your information



(including action and donation history), log into your online PEER account  
<https://org.salsalabs.com/o/823/profile/login.jsp>

**Cc:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 4/14/2017 3:20:44 PM  
**Subject:** Re: REMINDER: **Personal Matters/Ex. 6**

Dan. When is a good time to talk about correcting my report? I thought I had finished it.  
Doug Ericksen

Sent from my iPhone

On Apr 11, 2017, at 10:57 AM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Doug,  
Dan Fort (copied here) is your contact person. If you have your EPA laptop with you, he can help you via Skype for Business.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ericksen, Doug  
**Sent:** Monday, April 10, 2017 12:32 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: REMINDER: You owe us information!

Justina,

I will need some help getting this done.

I am on the West Coast right now.

Who should I reach out to for assistance?

Doug Ericksen

---

**From:** Fugh, Justina  
**Sent:** Thursday, April 6, 2017 10:44 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>

**Subject:** REMINDER: You owe us information!

Hi,

**Personal Matters/Ex. 6**

Comments of Reviewing Officials

**Personal Matters/Ex. 6**

**Personal Matters/Ex. 6**

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**To:** kreutzer.david@epamail.epa.gov[kreutzer.david@epamail.epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 2:09:02 PM  
**Subject:** Doug Ericksen

David,

Do you have a couple of minutes to chat about the EPA web page?

Ericksen

**To:** Benton, Donald[benton.donald@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 1:37:37 PM  
**Subject:** letter

**TO:** President Trump Administration Team  
**FROM:** EPA Transition Team Members  
**DATE:** March 14, 2017  
**RE:** Senior White House Advisor Don Benton

**Personal Matters/Ex. 6**

Sincerely,

**To:** Robin Bravender[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/13/2017 6:07:38 PM  
**Subject:** Re: Region 10 administrator?

Sorry I did not make deadline. Still want to talk

Ericksen

Sent from my iPhone

On Feb 13, 2017, at 9:59 AM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Hi Doug,

I wanted to follow up with you on this story that you're interested in the Region 10 administrator job. Can you confirm that you're interested in that job? Have you been offered the post?

My deadline is noon today. Apologies for the short notice. Feel free to give me a call at 202-446-0410.

Best,

**Robin Bravender**

E&E News Enterprise Reporter

[rbravender@eenews.net](mailto:rbravender@eenews.net)

202-446-0410 (desk)

202-660-2146 (mobile)

[@rbravender](#)

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**E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 4/11/2017 4:19:50 PM  
**Subject:** Doug Ericksen

Ryan.

I mailed my project regarding the cleanup of the Hanford Nuclear site and the roll the EPA can play in saving billions of dollars.

It was mailed to Michelle Hale and should have arrived yesterday.

This was the second project that I have sent in. The first dealt with superfund sites.

As your time allows I would like to talk to you regarding other projects I can take on now and my future with the EPA.

Please let me know if there is a good time to talk.

Doug Ericksen  
Special Advisor to the Administrator

Sent from my iPhone

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 1:11:40 PM  
**Subject:** RE: Cantonment (FL) Black Liquor Spill Emergency Response Communication

Got it. Thank you.

ericksen

**From:** Grantham, Nancy  
**Sent:** Wednesday, January 25, 2017 5:48 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Fwd: Cantonment (FL) Black Liquor Spill Emergency Response Communication

Hi Doug - this communication is part of an emergency response FYI

Thx ng

Sent from my iPhone

Begin forwarded message:

**From:** "Lincoln, Larry" <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>  
**Date:** January 24, 2017 at 4:33:23 PM EST  
**To:** "Hull, George" <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>, "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>, "Valentine, Julia" <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>  
**Subject:** Cantonment (FL) Black Liquor Spill Emergency Response Communication

All,

Heads up – I have approved the following response below in conjunction with the regional Superfund emergency response team. The EPA OSC will be taking part in a media availability as part of the Unified Command this afternoon at 4 p.m. (Central Time) to

address emergency response activities associated with the Cantonment, Florida Black Liquor Spill.

“Based on a request from the State of Florida and a report to the National Response center, EPA responded to and joined the Unified Command (UC) structure to address the Cantonment Black Liquor release. Our role as part of the Unified Command has been to provide organizational structure, set response goals, and address Health and Safety for the workers and the community. The UC consists of the officials from Escambia County, Florida Department of health, Florida Department of Environmental Protection, International Paper and EPA. “

Larry

Director

Office of External Affairs

U.S. Environmental Protection Agency, Region 4

Phone: (404) 562-8304

Email: [llincoln.larry@epa.gov](mailto:llincoln.larry@epa.gov)

<http://www.epa.gov/region4/newsevents/index.html>

Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](http://www.twitter.com/EPASoutheast)

And Facebook: [www.facebook.com/eparegion4](http://www.facebook.com/eparegion4)

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 1:31:11 PM  
**Subject:** RE: OPA Clips 3/13/17--Ericksen

Ryan,

I tend to agree with us letting it sit at present. There are some other items we could talk about that would help balance the coverage on the upcoming EOs. But they are items that I would rather speak about in person instead of via email.

I am in the office all day today. Let me know if you have a few minutes to discuss.

Ericksen

**From:** Jackson, Ryan  
**Sent:** Monday, March 13, 2017 10:54 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: OPA Clips 3/13/17

We need to let it lie presently. We have the cpp EO coming out soon based on unpopular rules and getting into a debate on the science of climate change isn't timely.

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 13, 2017, at 1:56 PM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Ryan,

These stories are such a joke of the propaganda left.

Would you be interested in having several climate scientists weigh in on the side of what Pruitt said?

Or do you think it best to just let it sit for a while. It will be the recurring theme in the coming weeks, and I think taking the offensive is not a bad idea.

I imagine it would have to be timed around other White House message goals.

Ericksen

**From:** McGonagle, Kevin

**Sent:** Monday, March 13, 2017 1:14 PM

**To:** So, Katherine <[so.katherine@epa.gov](mailto:so.katherine@epa.gov)>; McCabe, Catherine <[McCabe.Catherine@epa.gov](mailto:McCabe.Catherine@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>; Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>; Slotkin, Ron <[slotkin.ron@epa.gov](mailto:slotkin.ron@epa.gov)>; Sowell, Sarah <[Sowell.Sarah@epa.gov](mailto:Sowell.Sarah@epa.gov)>; Hart, Daniel <[Hart.Daniel@epa.gov](mailto:Hart.Daniel@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>; Actadmmccabe, Catherine17 <[Actadmmccabe.catherine17@epa.gov](mailto:Actadmmccabe.catherine17@epa.gov)>; Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>; Bangerter, Layne <[bangerter.layne@epa.gov](mailto:bangerter.layne@epa.gov)>; Davis, Patrick <[davis.patrick@epa.gov](mailto:davis.patrick@epa.gov)>; Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Greaves, Holly <[greaves.holly@epa.gov](mailto:greaves.holly@epa.gov)>; Kreutzer, David <[kreutzer.david@epa.gov](mailto:kreutzer.david@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>; Schnare, David <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)>; Schwab, Justin <[schwab.justin@epa.gov](mailto:schwab.justin@epa.gov)>; Sugiyama, George <[sugiyama.george@epa.gov](mailto:sugiyama.george@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>; AO OPA Media Relations <[AO\\_OPA\\_Media\\_Relations@epa.gov](mailto:AO_OPA_Media_Relations@epa.gov)>

**Subject:** RE: OPA Clips 3/13/17

*Below: E&E News (4), Bloomberg, Washington Examiner, The Hill, Reuters (via New York Times), E&E News, Reuters, BNA (2), Politico Pro, E&E News, The Hill, The Hill (3/11)*

## **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051373>

### **Enviros demand records on Pruitt's climate stance**

By Hannah Hess 3/13/17

The Natural Resources Defense Council has filed a Freedom of Information Act request with U.S. EPA for all documents or meetings that influenced Administrator Scott Pruitt's controversial statement to CNBC concerning humans' contribution to climate change.

Pruitt raised doubts over whether carbon dioxide is the main driver behind global warming during a Thursday interview, contradicting the scientific consensus on climate change (Greenwire, March 9).

NRDC is seeking all records that Pruitt considered or relied upon to develop his understanding of humans' contribution to climate change and records of all meetings, telephone calls or other discussions he held, including schedules of such meetings, to discuss humans' contribution to climate change.

"This is crazy talk," said NRDC's Ben Longstreth, senior attorney in the Climate and Clean Air Program, on Friday.

"Pruitt's belief is so confounding, so contrary to established science and, frankly, even apparently inconsistent with his own past statements, NRDC wants to know what prompted him to make that claim and to out himself as a true climate denier," Longstreth said in a blog post.

The request is timely, with President Trump expected to formally begin dismantling the Clean Power Plan — the Obama administration's signature rule on carbon pollution — tomorrow with an "energy independence" executive order (E&E Daily, March 13).

Pruitt told the Senate Environment and Public Works Committee during his confirmation hearing, "Science tells us that the climate is changing and that human activity in some manner impacts that change."

NRDC wants to know what may have changed Pruitt's view since then.

"We need to know who he has met with to talk about climate science and what articles he's been reading to help answer that question," Longstreth said.

### **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051375>

### **Senate EPW counsel signs up to advise Pruitt**

By Kevin Bogardus 3/13/17

The Inhofe infantry is becoming a full-fledged army at U.S. EPA.

Mandy Gunasekara, majority counsel on the Senate Environment and Public Works Committee, is joining EPA as a senior policy adviser to Administrator Scott Pruitt, according to sources. Bloomberg BNA first reported Gunasekara's move.

Gunasekara first joined the EPW panel in January 2015 to work on the Clean Air Act and climate change under then-Chairman Jim Inhofe (R-Okla.).

She came to the committee after a brief stint at the National Association of Chemical Distributors.

Gunasekara previously worked as counsel for Rep. Bob Latta (R-Ohio) and as counsel for the Senate Health, Education, Labor and Pensions Committee.

She earned her law degree from the University of Mississippi School of Law and has a bachelor's degree in communication and media studies from Mississippi College, according to her LinkedIn profile.

Gunasekara is the latest Inhofe aide to come to EPA.

Ryan Jackson, a former chief of staff for the Oklahoma senator, is now serving as Pruitt's chief of staff, while Byron Brown, who was an EPW Committee staffer under Inhofe, is deputy chief of staff at EPA. Another former Inhofe aide, Andrew Wheeler, is in the running to be deputy administrator (Greenwire, March 3).

Scott Segal, an energy lobbyist at Bracewell LLP, told E&E News that it was a great move by EPA to bring Gunasekara on board.

"Mandy is very smart, with a great background on Clean Air Act and carbon issues. She was a tremendous asset on the committee, hardworking and dedicated. She will bring great



additional strength to the senior EPA staff," Segal said.

### **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051353>

### **Pruitt's office overwhelmed with angry phone calls**

3/13/17

U.S. EPA chief Scott Pruitt has been deluged with phone calls after he disputed human-caused climate change last week.

The call volume was so high that agency officials created an impromptu call center. It appears that a Reddit post with Pruitt's number sparked the event.

It is unusual for citizens to target a Cabinet official, but Pruitt's comments, which go against established science, touched a nerve. EPA's website blames global warming on human influence.

On Friday, the National Oceanic and Atmospheric Administration said the level of carbon dioxide in the atmosphere rose at a record pace for the second straight year (Eilperin/Dennis, Washington Post, March 11). — NB

### **E&E News**

<http://www.eenews.net/greenwire/2017/03/13/stories/1060051368>

### **Meteorologists rebuke Pruitt for CO2 comment**

By Hannah Hess 3/13/17

The head of the American Meteorological Society issued the latest rebuke today to U.S. EPA Administrator Scott Pruitt's statement that he does not believe carbon dioxide is a major cause of global warming.

Reams of evidence support the view that carbon dioxide is a major heat-trapping gas, AMS Executive Director Keith Seitter wrote in a letter to Pruitt after the former Oklahoma attorney general's controversial interview on CNBC (Greenwire, March 9).

"We are not familiar with any scientific institution with relevant subject matter expertise that has reached a different conclusion," Seitter wrote, noting that thousands of scientific

bodies around the world have affirmed the link.

AMS, a global leader on climate science, represents more than 13,000 scientists, researchers, educators and broadcast meteorologists — many of whom have been contradicting Pruitt's claims on air.

Weather Channel meteorologist Carl Parker said Friday that Pruitt's statements were false. Parker showed viewers a chart showing the rise in the average global temperature coinciding with the rise in carbon emissions since the beginning of the Industrial Revolution.

"It is simply not true that there is disagreement among scientists, and there have been multiple studies that have shown that ... 97 percent of climate scientists agree that climate change is a man-made phenomenon," Parker said.

Veteran NBC weatherman Al Roker debunked Pruitt's claim during an appearance on "MSNBC Live," explaining that there is "no credible science or scientist" to support Pruitt's statement.

Roker also discussed the importance of climate science at EPA, with the Trump administration recommending budget cuts (E&E Daily, March 1).

"Well, I think hopefully cooler heads will prevail upon him to say we need to continue to research this," Roker said.

Seitter's message was cordial. AMS understands and accepts that different conclusions may be reached, he noted. "But mischaracterizing the science is not the best starting point for a constructive dialogue," Seitter wrote.

Seitter offered to work with Pruitt or his staff "to advance understanding the science of climate and use those advances for the benefit of the nation and the world."

### **Bloomberg**

<https://www.bloomberg.com/politics/articles/2017-03-13/trump-to-visit-detroit-automakers-seeking-fuel-economy-rollback>

### **Detroit Automakers Said to Win Trump Review of Efficiency Rules**

By John Lippert, Jennifer A Dlouhy, and David Welch 3/13/17 12:09 AM

President Donald Trump is set to announce that his administration will begin the process of reexamining Obama-era vehicle-efficiency standards during a meeting near Detroit with carmakers that have sought to relax the requirements, according to two people familiar with

the plans.

Trump's meeting with auto executives and workers during his Wednesday trip to Michigan will unveil that he will reconsider the Environmental Protection Agency's January decision that light-vehicle, greenhouse gas standards for the years 2022 through 2025 should remain intact, the people said. That decision ended an agency mid-term review of the standards more than a year ahead of an April 2018 deadline.

Trump will hold a rally in Ypsilanti, Michigan, where he is slated to announce plans to reinstate the mid-term review and resume studying whether fuel economy rules are feasible or if automakers need some relief, said the people familiar with the matter. Auto industry executives, including General Motors Co. Chief Executive Officer Mary Barra, are expected to be there.

The industry has been asking the Trump administration to reinstate the review after the EPA under President Barack Obama issued a ruling in January that meeting the 2025 fuel-economy goals is feasible.

Automakers have been arguing for months that the standards impose high costs and don't reflect motorists' driving preferences. Trade groups representing GM, Toyota Motor Corp., Honda Motor Co. and Volkswagen AG on Feb. 21 formally asked EPA Administrator Scott Pruitt to revoke the Obama administration's decision to leave the 2025 standards intact. Eighteen automakers separately petitioned President Donald Trump to reinstate the mid-term evaluation on Feb. 10.

"We are committed to continued gains in fuel efficiency and carbon reduction," the executives said in their letter to Trump. "At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels."

## **50 MPG**

While the review continues, the current EPA auto standards would remain in effect. But the move to reopen the evaluation hands automakers a fresh chance press for changes for the long-term goals, which aim to bring the average fuel economy for a vehicle in the U.S. to more than 50 miles per gallon from 36 today.

Actually changing the standards, enacted in 2012, would be a lengthy process, requiring a formal agency rulemaking with a public comment period.

The auto efficiency standards are part of a so-called "one national program" of aligned vehicle efficiency standards set by EPA, the Transportation Department and California's Air Resources Board.

Automakers have expressed concern about the cost and marketplace assumptions underpinning the EPA's analysis of the standards. They agreed to the ambitious standards in 2011 in part because regulators included the mid-term evaluation to ensure the standards

were appropriate based on conditions in the auto market.

### **Environmental Backlash**

"What we're looking for is to really have that review that was part of the original plan that all the automakers agreed to," GM's Barra, told reporters on Feb. 28.

The review also had more practical considerations. Because of a legal quirk, the National Highway Traffic Safety Administration could only set fuel economy standards through 2021. The EPA's "final determination" on whether its standards needed changes was intended to coincide with NHTSA's work to set fuel economy standards for 2022 to 2025. It didn't.

Environmental groups complained that automakers are hiding their true intent.

"Make no mistake this is a demand to weaken the standards disguised as a polite procedural request," said Dan Becker, director of the Safe Climate Campaign.

In an opinion piece published Sunday, Becker and James Gerstenzang, editorial director of the Safe Climate Campaign, said the cost of reversing course would be "catastrophic," as weaker standards would drive up demand for oil and therefore generate more heat-trapping carbon dioxide emissions.

"Together, they are following a scorched-earth policy that leaves us all at risk: a huge industry unprotected against future economic turmoil, American consumers vulnerable to fickle oil prices, our national security reliant on oil from unreliable suppliers and our economy hobbled by the flow of dollars to OPEC," Becker and Gerstenzang wrote. "And on top of all that, a world facing the challenge of a changing climate."

### **Washington Examiner**

<http://www.washingtonexaminer.com/trump-to-visit-detroit-to-stop-epas-rushed-auto-rules/article/2617195>

### **Trump to visit Detroit to stop EPA's rushed auto rules**

By John Siciliano 3/13/17 12:21 PM

President Trump is expected to visit Detroit Wednesday to announce the rollback of Environmental Protection Agency regulations for the automotive industry, said sources privy to the White House plan.

An auto industry representative told the Washington Examiner to expect the administration this week to roll back a final decision that the EPA rushed out late last year, directing the

industry to adopt stricter fuel economy and emissions standards for vehicles beginning this year.

Trump will make the announcement at the American Center for Mobility in Ypsilanti, Mich., a Detroit suburb. The president also is visiting Nashville, Tenn., that day. Trump is having lunch with his new Transportation Secretary Elaine Chao on Monday. The agency works with the EPA on the fuel efficiency regulations.

**Why the auto industry doesn't like the new EPA rules:** The automakers say the EPA's decision to move forward with the regulation was rushed. The review process for the regulations under the law was supposed to begin in 2017, with a final decision expected in spring 2018. The rules would require autos to average more than 50 miles a gallon by 2025, up from about 30.

The EPA ignored the industry's comments that the regulations do not match consumer choice, they say. Because of low gasoline prices, consumers are buying more sport utility vehicles and pick-up trucks than fuel-efficient cars, hybrids and electric vehicles. Ninety-five models of electric, hybrid and other fuel-efficient small vehicles have failed to match the market demand for one model of pick-up truck, the industry said. The National Highway Traffic Safety Administration announced last week that cars and light trucks sold in 2016 fell short of fuel economy targets for the first time in over a decade.

**Why the industry says Trump should withdraw the EPA decision:** Trump has worked closely with the auto industry to coordinate his campaign to increase jobs and his America-first campaign. His decision to roll back the EPA decision would help his push for job growth.

**Why Detroit:** Detroit is the capital of the U.S. automotive industry. And General Motors, Ford Motor Co. and Fiat Chrysler Automobiles, all companies Trump has pushed to keep jobs in the U.S., will be present at the event, as well as officials from Japanese and German automakers in attendance, according to Automotive News.

### **The Hill**

<http://thehill.com/policy/energy-environment/323654-meteorologists-refute-epa-head-on-climate-change>

### **Meteorologists refute EPA head on climate change**

By Timothy Cama 3/13/17, 10:48AM

The nation's top organization for meteorology is refuting Environmental Protection Agency (EPA) Administrator Scott Pruitt's recent comments on the role of carbon dioxide in climate change.

Pruitt questioned mainstream climate science last week, saying in a CNBC interview, “I would not agree that [carbon dioxide is] a primary contributor to the global warming that we see.”

The American Meteorological Society wrote a letter to Pruitt Monday saying he is wrong.

“In reality, the world’s seven billion people are causing climate to change and our emissions of carbon dioxide and other greenhouse gases are the primary cause,” the group’s executive director, Keith Seitter, wrote in the letter.

“This is a conclusion based on the comprehensive assessment of scientific evidence. It is based on multiple independent lines of evidence that have been affirmed by thousands of independent scientists and numerous scientific institutions around the world,” Seitter said. “We are not familiar with any scientific institution with relevant subject matter expertise that has reached a different conclusion.”

He added that “mischaracterizing the science” is not a good place to start in constructive policy debates surrounding climate, and offered his organization’s assistance in helping Pruitt to understand the data.

Pruitt’s statement cause a firestorm among Democrats, liberal organizations and scientists, some of whom have charged that he does not belong at the EPA if he does not understand climate science.

Pruitt and his boss, President Trump, are planning a wholesale rescission of former President Barack Obama’s climate change policies at the EPA and elsewhere. Trump is expected this week to start the process of undoing Obama’s climate rule for power plants and his coal leasing moratorium for federal land.

Meanwhile, Pruitt plans to start the process soon of reconsidering Obama’s aggressive greenhouse gas standards for cars.

### **Reuters (via New York Times)**

<https://www.nytimes.com/reuters/2017/03/13/us/politics/13reuters-usa-trump-autos.html>

### **Trump Expected to Announce Vehicle Emissions Rules Review**

By David Shepardson 3/13/17, 9:33AM

WASHINGTON — U.S. President Donald Trump is expected announce a restart of a review of vehicle fuel efficiency rules sought by the auto industry at an event on Wednesday with the chief executives of U.S. automakers, according to two sources briefed on the matter.

Trump is expected to visit Ypsilanti, Michigan, a Detroit suburb, to tout his administration's decision to revive a review of the feasibility of the 2022 through 2025 vehicle emissions rules, after the Obama administration moved in its final days to lock in the rules.

In addition to the chief executives of General Motors Co, Ford Motor Co and Fiat Chrysler Automobiles NV, officials from Japanese and German automakers are also expected to attend. A White House official confirmed Trump plans to visit Michigan, but did not immediately confirm details.

Automakers have been pushing the Trump administration for months to reverse the Obama administration decision. The Environmental Protection Agency had until April 2018 to decide whether the standards were feasible under a "midterm review," but moved up its decision to a week before President Barack Obama left office in January.

Automakers argue the Obama era vehicle emissions rules, which would raise the fleet average fuel efficiency to more than 50 miles per gallon by 2025 from 27.5 mpg in 2010, will impose significant costs and are out of step with consumer preferences. They argue they need more flexibility to meet the rules amid low gas prices.

Environmentalists, who favor the standards, say they will reduce fuel costs and greenhouse gases and have vowed to sue if the Trump administration weakens them.

Trade groups representing automakers, including GM, Volkswagen AG and Toyota Motor Corp, have asked the EPA to withdraw the determination finalizing the rules, which stem from a 2011 deal the industry reached with the U.S. government.

The Obama administration said in 2011 the changes would boost fuel efficiency to a fleetwide average of 54.5 mpg, save motorists \$1.7 trillion in fuel costs over the life of the vehicles and cost the auto industry about \$200 billion over 13 years.

In July, the EPA estimated the fleet would average only 50.8-52.6 mpg in 2025 under the rules because Americans were buying more SUVs and trucks and fewer cars.

(Reporting by David Shepardson; Editing by Chizu Nomiya and Frances Kerry)

### **E&E News**

<http://www.eenews.net/climatewire/2017/03/13/stories/1060051319>

### **Pruitt: Congress should decide if agency can regulate CO2**

By Niina Heikkinen 3/13/17

Scott Pruitt wants Congress — not his own agency — to decide whether U.S. EPA has the power to regulate greenhouse gases.

Last week, the new EPA administrator caused an uproar when he told CNBC's "Squawk Box" that he did not believe carbon dioxide was a main contributor to climate change. What

has gotten less attention was his suggestion that Congress should have a say in whether EPA should regulate carbon dioxide and other greenhouse gases in the first place.

"Nowhere in the equation has Congress spoken," Pruitt noted. "The legislative branch has not addressed this issue at all. It's a very fundamental question to say, 'Are the tools in the toolbox available to the EPA to address this issue of CO<sub>2</sub>, as the court had recognized in 2007, with it being a pollutant?'"

Writing new legislation could be the fastest and easiest way for the Trump administration to roll back federal regulations addressing climate change, said Deborah Sivas, an environmental law professor at Stanford University.

"The chances of getting this Congress to roll back the Clean Air Act are pretty good, I think," she said.

So far, much of the attention has been focused on how the Trump administration might roll back environmental regulations, the workhorses that carry out the legal actions laid out by legislation. But rewriting regulations isn't easy. It requires a whole rulemaking process, complete with a public comment period to put it in place.

These new regulations would also be more vulnerable to legal challenges if the administration fails to show evidence that greenhouse gases are not air pollutants. The Supreme Court upheld that EPA should regulate these pollutants in *Massachusetts v. EPA*, Sivas noted.

But taking a legislative approach gets around all this. Congress could instead simply change the definition of an air pollutant to exclude carbon dioxide and other greenhouse gases, which would have trickle-down effects on a range of federal regulations from the Clean Power Plan to fuel economy standards.

"Almost 50 years of improvements under our existing set of environmental laws could evaporate pretty quickly. You can just change a definition with a sentence or two and [CO<sub>2</sub>] is not covered," she said.

### **'Congress should deal with it once and for all'**

While such legislation has been attempted in the past — Sen. Jim Inhofe (R-Okla.) put his support behind the Energy Tax Prevention Act in 2011 — there has been always been some check in either Congress or the White House to keep it from passing.

This Congress and administration could be the exception, according to Sivas.

"The crazy part is they have a Republican majority that is farther right and this crazy White House — who knows what they will do — but they have been pretty clear that they will go against climate change. I think that's the thing that is worrying people a lot," Sivas said.



The House has already put forward a new piece of legislation, the "Stopping EPA Overreach Act," amending the Clean Air Act to exclude methane and carbon dioxide, among other gases, from the definition of "air pollutant" (*E&E News PM*, March 10).

Steve Milloy, a longtime foe of EPA who served on the agency's transition team, said it would be a good idea for Congress to weigh in on whether EPA should regulate greenhouse gases.

"I think a lot of people will think Trump is running EPA now, we won't have any more climate regulations, so we don't need to do anything. But as long as EPA has that authority, they can come back and do it, so Congress should deal with it once and for all," he said.

But Milloy isn't sure whether changing the rules for greenhouse gases will be an immediate priority, or even whether Republicans could garner the votes to pass the changes.

"Can Congress do it? Well, they have so many other things to do, I don't know," Milloy said.

"I don't even know if it's on their calendar, I don't think enough people have thought enough about it," he added.

## **Reuters**

<http://www.reuters.com/article/usa-trump-budget-idUSL2N1GP0PE>

### **Trump budget opens new fight among Republicans**

By Richard Cowan and Roberta Rampton 3/13/17, 7:00AM

Republican U.S. Representative Todd Rokita keeps a clock hanging on the wall of his Capitol Hill office that tracks the U.S. government's rising debt in real time and reminds him of his top priority: reining in federal spending.

"I was sent here on a fiscal note," said the Indiana lawmaker and vice chairman of the House of Representatives Budget Committee, who rode a Republican wave during his first election to Congress in 2010.

When President Donald Trump unveils his budget for the 2018 fiscal year on Thursday, Rokita will be among many conservative Republicans cheering proposed cuts to domestic programs that would pay for a military buildup.

More moderate Republicans are less enthusiastic and worry Trump's budget could force lawmakers to choose between opposing the president or backing reductions in popular programs such as aid for disabled children and hot meals for the elderly.

"What you would hope is that the administration is aware of the difficulty of some of these things," said Representative Tom Cole of Oklahoma.

The release of Trump's budget, which comes as the Republican president is facing an intraparty revolt over proposed legislation to replace the Obamacare healthcare law, could open another fight among Republicans who control both houses of Congress. To keep the government running, lawmakers will need to approve a spending plan later this year.

The White House has released few details about Trump's budget, other than making clear the president wants to boost military spending by \$54 billion and is seeking equivalent cuts in non-defense discretionary programs.

But several agencies, including the State Department and the Environmental Protection Agency, have been asked to prepare scenarios for steep reductions, according to officials familiar with the discussions.

While supporting deficit-reduction efforts, Cole said a major research university in his district could get hit by National Institutes of Health cuts, as could sewage treatment facilities funded by the EPA.

Republican Senator Rob Portman, whose home state of Ohio sits on the southern shores of Lake Erie, expressed concern about media reports saying the Trump budget had penciled in sharp cuts in a cleanup program for the Great Lakes.

#### NOT AUSTERE ENOUGH

While Rokita, who was among a group of Republican lawmakers who met with Trump last week, appeared comfortable with what he had learned so far about Trump's budget, some Republican members of the conservative House Freedom Caucus said they wanted to see even further budget cuts.

Representative Mo Brooks of Alabama said the outcry from lawmakers over the expected cuts underscored to him that the blueprint would be a "a very large step in the right direction" of reining in the debt.

Brooks added: "My fear is that the Trump budget will not be austere enough to minimize America's risk of suffering the kind of debilitating insolvency and bankruptcy that is destroying the lives of Venezuelans right now."

OPEC member Venezuela is immersed in a deep economic crisis, with inflation in triple digits, shortages of basic goods, and many people going hungry.

Brooks and other members of the Freedom Caucus are among the most vocal critics of the legislation backed by the White House to repeal and replace the Affordable Care Act, former Democratic President Barack Obama's signature healthcare plan, known as Obamacare.

To try to woo the conservative lawmakers on Trump's legislative agenda, budget director Mick Mulvaney, himself a former member of the House Freedom Caucus, has invited them to a bowling and pizza night at the White House on Tuesday night.

Another Freedom Caucus member, Representative David Schweikert of Arizona, said Mulvaney was encouraging lawmakers to submit maverick fiscal ideas to the White House.

Schweikert said he hoped to revive a proposal from a few years ago, in the midst of a fight over raising the U.S. debt limit, that would have allowed the government to take a series of alternative, albeit controversial steps, such as paying some creditors ahead of others.

## 'SLASH AND BURN'

One senior Republican aide, who referred to Trump's budget as a "slash and burn" proposal, said one fear of some House lawmakers was that they would be pressured to back big spending cuts only to have them rejected by the Senate, where Republicans hold a slimmer majority. The risk for House members is that their votes could prompt a backlash in the 2018 congressional elections.

Senate Majority Leader Mitch McConnell has said a budget that cuts State Department funds by one-third is unlikely to pass in his chamber.

Other high-ranking Republicans are setting off alarms.

Senator Lindsey Graham, following a White House lunch on Tuesday with Trump, said: "What I told him is that when we get in a deadlock between the House and the Senate, different factions of the party ... you're the guy who needs to come down and close the deal."

Cole said Congress would ultimately have the final say on the budget.

"At the end of the day, we'll have a budget. We'll pass the budget," he said. "Our budget is not necessarily the president's budget."

(Reporting by Richard Cowan and Roberta Rampton; Editing by Caren Bohan and Peter Cooney)

## **BNA**

[http://esweb.bna.com/eslw/1245/split\\_display.adp?fedfid=106896172&vname=dennotallissues&wsn=499904](http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=106896172&vname=dennotallissues&wsn=499904)

## **Volkswagen Pleads Guilty in U.S. Emissions-Cheating Scandal**

By Jamie Butters, Steven Raphael and Margaret Cronin Fisk 3/13/17

Volkswagen AG pleaded guilty to misleading U.S. regulators and customers by hiding emission levels on diesel vehicles and obstructing investigators, but a federal judge said he wasn't yet comfortable in approving a \$4.3 billion sentencing agreement (*United States v. Liang, E.D. Mich., No. 2:16-cr-20394, 2/23/17*).

VW entered the formal plea in Detroit federal court March 10 as it agreed to do two months ago as part of a \$4.3 billion deal to settle claims over the emissions scandal. Under the agreement with the U.S. government, VW would pay a \$2.8 billion fine and \$1.5 billion in civil penalties.

The German automaker continues to wrestle with the fallout from its September 2015 admission that it rigged as many as 11 million diesel vehicles worldwide to cheat on emissions tests. It has set aside \$23.9 billion to cover cheating-related expenses, with the largest share going to compensate U.S. consumers. The company still faces investor lawsuits in the U.S. and in Germany, as well as consumer lawsuits and a criminal probe in Germany.

U.S. District Judge Sean Cox accepted the plea, but said in light of the “very, very serious” offenses, he wasn't comfortable approving the sentencing agreement immediately. “I just want more time to reflect and study” he said, adding that he will refer the case to the probation office for a report prior to the sentencing hearing.

Sentencing was put off until April 21.

Acted Swiftly

In arguing for the judge to accept the sentencing deal, VW's lawyer Jason Weinstein said the company has acted swiftly to make things right with its customers, dealers and the U.S. Environmental Protection Agency. The automaker resolved those cases before the criminal settlement and it directed the law firm investigating the matter to share findings with the government “essentially in real time,” allowing for swift prosecution of individual employees, he said.

As part of the deal with the U.S., VW would be on probation and under an independent monitor for three years.

“Volkswagen deeply regrets the behavior that gave rise to the diesel crisis,” the company

said in an emailed statement after the hearing. “The agreements that we have reached with the U.S. government reflect our determination to address misconduct that went against all of the values Volkswagen holds so dear.”

So far, seven people have been charged with crimes for their alleged roles in the emissions scheme. Oliver Schmidt, the company's liaison with U.S. regulators, pleaded not guilty to charges of fraud and conspiracy in Detroit federal court on Feb. 24. Schmidt, a German national who has been in custody since his arrest in January, is expected to ask to be released on bond at a hearing March 16.

Schmidt was indicted along with Heinz-Jacob Neusser, former head of engine development who was suspended in 2015; Richard Dorenkamp, who led the failed effort to design a diesel engine that would meet the tougher emissions standards the U.S. adopted for 2007; Jens Hadler, who led engine development from 2007 to 2011; Bernd Gottweis, who was responsible for quality management from 2007 to 2014; and Jurgen Peter, a VW liaison with U.S. regulators during the months when they were growing more suspicious.

#### Florida Vacation

Schmidt was arrested while on vacation in Florida. The other five have stayed in Germany, where they are protected from extradition.

A seventh defendant, VW engineer James Liang, pleaded guilty in September to conspiring to defraud U.S. regulators and consumers. Liang, who spent 25 years with Volkswagen in Wolfsburg before moving to the U.S. in 2008, was involved in creating a defeat device so cars with 2.0-liter diesel engine could pass emissions tests. He's cooperating with prosecutors.

#### **BNA**

[http://esweb.bna.com/eslw/1245/split\\_display.adp?fedfid=106896173&vname=dennotallissues&wsn=499899](http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=106896173&vname=dennotallissues&wsn=499899)

#### **Biofuel Changes Threaten Advanced Fuel Development: Producers**

By Brian Dabbs 3/13/17

A biofuel legislative overhaul will exact particular damage on cellulosic and other advanced fuels despite lawmaker contentions to the contrary, advanced fuel producers say as overhaul negotiations begin to take shape.

Those producers are urging Congress to leave the current renewable fuel standard intact to safeguard the development of cellulosic fuels, which are derived from the often-wasted, non-edible parts of plants such as corn.

But House leadership is pressing lawmakers to push overhaul legislation forward, and a bill introduced in recent days (H.R. 1315) has more than 40 House members from both sides of the aisle on board.

That bill—who chief sponsors include Bob Goodlatte (R-Va.), Jim Costa (D-Calif.), Steve Womack (R-Ark.) and Peter Welch (D-Vt.)—would require the Environmental Protection Agency to set cellulosic biofuels at current production levels, while eliminating traditional corn-based ethanol requirements and capping the amount of total ethanol blended into U.S. transportation fuel at 10 percent.

The sponsors are seeking swift action, but the RFS is a controversial program that often pits corn-state representatives against other industries, such as petroleum and livestock. Past attempts to modify the program have failed, and experts generally view the Senate—where lawmakers from ethanol states carry considerable clout—as a firewall against changes.

#### A Litany of RFS Complaints

Critics of the biofuel mandate say it raises corn prices for consumers, retailers and livestock producers. Environmental groups are also increasingly criticizing the program, saying that corn-based ethanol does not reduce greenhouse gas emissions.

The RFS program, which was made law in 2005 and expanded in 2007, sets annually increasing biofuel quotas. The goal of the program was to decrease hydrocarbon emissions and reduce dependence on foreign oil. Nearly all transportation gasoline in the U.S. now contains 10 percent ethanol.

The EPA announced in recent months that refiners need to mix 19.28 billion gallons of renewable fuel into the U.S. gasoline and diesel supply in 2017, including up to 15 billion gallons of traditional, corn-based ethanol. The EPA must still, however, finalize those figures.

Refiners and importers must blend biofuels or purchase biofuel credits, known as Renewable Identification Numbers, to comply with the mandate.

#### Cellulosic Jeopardy: Producers

Proponents of cellulosic and other so-called “next generation” fuels say that unlike corn ethanol, advanced biofuels have extremely low greenhouse gas emissions and generally do not use feedstocks that could otherwise be used for food.

The newly introduced bill, along with other legislative ideas that incorporate an aggregate biofuel cap, directs the EPA to set cellulosic standards based on recent production, which is far short of the levels Congress prescribed in statute.

“[The Renewable Fuel Standard] sets the market as designed,” Brooke Coleman, executive director of the Advanced Biofuels Business Council, told Bloomberg BNA, referring specifically to the cellulosic market. “Re-engineering it to reflect the market is the equivalent of neutering the RFS.”

The current proposed 2017 quota for cellulosic biofuels is 311 million gallons, which is dramatically below the 5.5-billion-gallon threshold outlined by Congress. But the 311 million figure is more than nine times 2014 levels, and Coleman said those quotas largely

reflect actual production levels.

An EPA proposal based on current production would, therefore, act as a de facto cap on cellulosic production, Coleman said. “If you're coming on next year with a new production facility, than you wouldn't get counted. Each expected rule would leave new production coming online in the dark,” he said. “The purpose of the standard to drive the market and increase production levels.”

A new, DuPont Industrial Biosciences cellulosic production facility, meanwhile, is set to begin producing its first fuel in months, Jan Koninckx, global business director for biofuels at the company, told Bloomberg BNA. “We are also actively engaged in defending the Renewable Fuel Standard and look to policymakers and regulators to enact the RFS as was originally envisioned,” he said.

#### Investment Concerns

Uncertainty in the biofuel market, drawn primarily from the EPA's failure to issue RFS quotas from 2014-2016, forced a substantial amount of cellulosic investment overseas, James Greenwood, president Biotechnology Innovation Organization and a former member of Congress, told a House Agriculture subcommittee March 9.

Confidence in the cellulosic market had returned in recent months until news reports shed light on an apparent plan to change the compliance structure of the biofuel mandate in late February, Greenwood told the subcommittee.

“What's necessary is stability. The investors invested in this program and in these plants on the basis of a promise Congress made when it passed the law originally,” Greenwood said. “The most important thing Congress needs to do is nothing. Leave the RFS alone.” That lost investment is going to cellulosic production in China and Brazil, Coleman said.

#### House Members Beg to Differ



The mandate, however, is laden with pitfalls, and changes are necessary to bring stability back to corn prices, some lawmakers say.

A spokeswoman for Welch said he supports advanced cellulosic biofuels and aims to secure a “strong outcome” for those products in pending changes to the law.

“There is a lot of uncertainty in this market. The way to create more certainty in the market is to push more investment towards cellulosic and advanced biofuel,” she said.

### **Politico Pro**

<http://www.politico.com/tipsheets/morning-energy/2017/03/clean-power-plan-order-coming-any-day-now-219191>

### **Clean Power Plan order coming any day now**

By Anthony Adragna 3/13/17, 10:00AM

**ANY DAY NOW:** President Donald Trump is expected to sign a long-anticipated executive order beginning the process of rolling back EPA’s landmark Clean Power Plan early this week, a person familiar with the timing tells ME. Details of exactly what it’ll say have remained close to the White House’s vest, though EPA Administrator Scott Pruitt said last week he won’t defend the Obama administration regulation in court — hardly a surprising statement since he sued to block the rule as Oklahoma attorney general. Pruitt also told CNBC last week to expect action to reconsider car emissions standards “very soon” and said the process that led to their development was rushed.

**‘Skinny’ budget coming:** Also expected this week is the release of the Trump administration’s so-called “skinny budget,” which will likely call for deep cuts in discretionary spending throughout the federal government. But lawmakers and interest groups have already expressed concerns over some of the rumored cuts to their favorite pet programs, so we’ll get a sense for whether the administration is backing off a bit with its blueprint.

**CALL HIM EPA ADMINISTRATOR LEONIDAS:** The recent uptick in activist call-athons to lawmakers' offices over controversial issues has expanded to EPA Administrator Scott Pruitt. The agency told ME that Pruitt's office received about 300 calls on Thursday and Friday regarding his comment on national TV that carbon dioxide is not "a primary contributor to the global warming that we see." The effort appears to have been built through social media rather than organized by an environmental group, and judging by posts over the weekend, those calls are likely to continue this week. Of course, 300 isn't a huge amount by Washington standards — Sen. Tom Carper said last month he was called by more than 2,000 Delawareans who opposed Pruitt's nomination — but it's definitely more than EPA is used to receiving. It took ME seven tries on Friday afternoon before making it through to a person.

**MARK YOUR CALENDARS:** The D.C. Circuit Court of Appeals has scheduled oral arguments over EPA's mercury rule "fix" for May 18. The fix, also known as the supplemental finding, was aimed at addressing the Supreme Court's 2015 ruling that EPA should have considered the costs when it first decided it was "appropriate and necessary" to regulate mercury emissions from power plants. The mercury rule took full effect last year, but opponents are still hoping to get it tossed out, which would nullify the rest of the rule. It also threatens to open up a major court battle about the government's use of "co-benefits" to justify the costs of a regulation. The Trump administration has made no move — yet — before the court to indicate a policy reversal in this suit.

**ANOTHER INHOFE STAFFER TO EPA:** Mandy Gunasekara is heading to EPA as a senior policy adviser in the administrator's office, she confirmed to ME. She'll leave her post as majority counsel for the Environment and Public Works Committee, Bloomberg BNA reported the news first.

### **E&E News**

<http://www.eenews.net/eedaily/2017/03/13/stories/1060051321>

### **Order to repeal Obama climate rule expected tomorrow**

By Robin Bravender 3/13/17

President Trump is expected to formally begin dismantling the Obama administration's signature climate change rule this week.

The president will likely sign an "energy independence" executive order tomorrow aimed at repealing the Clean Power Plan — a rule to limit power plants' greenhouse gas emissions — according to a source close to the Trump administration late last night.

The move has been widely expected after Trump repeatedly vowed to overturn the rule. His pick to lead U.S. EPA, former Oklahoma Attorney General Scott Pruitt (R), made a name for himself fighting that and other environmental rules in court.

Trump was slated to sign the order last week, but its release was pushed back. A White House spokeswoman did not immediately respond to a request for comment about the timing or contents of the expected directive.

In addition to the Clean Power Plan, Trump's order could also affect other rules from EPA or the Interior Department that affect energy production, according to the source close to the administration.

The White House was rumored to be considering including language to repeal the coal-leasing moratorium on federal lands, and some stakeholders speculated that the order could be even broader to direct the repeal of additional Obama administration environmental rules.

Trump is planning to sign at least one executive order later today, according to the White House. It's titled "Comprehensive Plan for Reorganizing the Executive Branch," which could mean sweeping changes for the federal government, although the White House didn't provide specifics about its plans.

### **The Hill**

<http://thehill.com/policy/energy-environment/323456-week-ahead-agencies-brace-for-trump-budget>

### **Agencies brace for Trump budget**

By Devin Henry 3/13/17, 6:00AM

The White House is due to release its budget outline in the coming week, and it's expected to confirm, for the first time, reports of deep cuts to federal environment and climate programs.

The budget, the first of Donald Trump's presidency, will contain \$54 billion in domestic non-discretionary spending cuts that will then be used to pay for an equal increase in defense spending, officials said last month.

That means his budget writers will likely look to slash spending for — among other things — energy and environment programs throughout the government.

Leaks have already previewed some of the cuts. The Environmental Protection Agency, (EPA) an \$8.1 billion department, is expected to absorb a 24 percent cut under Trump's budget, and several key programs are due to be zeroed out, including those implementing

the Clean Power Plan regulation, the Energy Star energy efficiency program, grants for the Brownfields program, and many others.

The proposed cuts are causing turmoil in the agency and among stakeholders.

Mustafa Ali, the head of the agency's environmental justice program, resigned on Thursday when it appeared his department would be defunded.

A group of mayors urged EPA chief Scott Pruitt last month to protect state grant programs, something Pruitt himself said he would push the White House to do.

But the EPA isn't the only agency with climate programs expected to see cuts. The National Oceanic and Atmospheric Administration could face a 17 percent cut, which could mean \$126 million less in research funding and \$513 million less for its satellite division.

The administration has reportedly considered deep cuts to Department of Energy programs, as well, and NASA's Earth science budget, which conducts climate change research, could absorb a cut, too.

The Interior Department could see proposed cuts, as well, so much so that new Interior Secretary Ryan Zinke told agency employees this month that he's "not happy" with the funding proposal.

Trump's budget — due out on Thursday — is not the final word in federal government spending. Congress still needs to vet the budget and write its own appropriations bills, and members have already expressed concern about many of the reported cuts, for the EPA and other agencies.

But the budget will lay out how Trump and his White House envision managing the federal ledger, and it will set up a major fight with lawmakers in both parties.

The coming week could also bring Trump's long-awaited executive orders on climate change. He is still expected to sign an order asking the EPA to reconsider the Clean Power Plan carbon rules, as well as address an Obama administration coal-leasing moratorium. A potential order on the Paris climate deal is still pending, as well.

On Capitol Hill, three committees will hold hearings on energy infrastructure issues in the week ahead. The Senate Energy and Natural Resources kicks things off with a hearing on Tuesday, followed by a meeting of a House Energy and Commerce subpanel on Wednesday. Then on Thursday, another Energy and Commerce subcommittee will discuss potential drinking water infrastructure improvements.

Elsewhere, the Senate Environment and Public Works committee will hold a hearing on invasive species and conservation on Wednesday.

## **The Hill**

<http://thehill.com/policy/energy-environment/323527-scott-pruitt-faces-flood-of-phone-calls-after-casting-doubt-on>

## **EPA phones ring off the hook after Pruitt's remarks on climate change: report**

By Max Greenwood 3/11/17, 10:23AM

The Environmental Protection Agency (EPA) faced a massive influx of phone calls Friday after EPA Administrator Scott Pruitt questioned the scientific consensus on climate change, The Washington Post reported on Saturday.

The agency got so many calls that by Saturday morning, callers were left with a notification that the system's voice mailbox was full and could not accept any more messages, according to The Post.

Pruitt claimed during an interview on MSNBC's "Squawk Box" that carbon dioxide emissions were not definitively responsible for contributing to climate change and questioned whether human activity was linked to the phenomenon.

"I think that measuring with precision human activity on the climate is something very challenging to do, and there's tremendous disagreement about the degree of impact," Pruitt said. "So no, I would not agree that it's a primary contributor to the global warming that we see."

Climate scientists, as well as NASA and the National Oceanic and Atmospheric Administration, almost unanimously agree that human activity — and CO2 and other greenhouse gas emissions resulting from that activity — are responsible for rapid changes in the Earth's climate.

Pruitt, the former attorney general of Oklahoma, was confirmed to lead the EPA last month, a move fiercely opposed by environmental and conservation groups.

During his tenure as Oklahoma's top law enforcement official, Pruitt sued the EPA more than a dozen times, and has said that he will aim to undo numerous environmental regulations — a position echoed by President Trump.

Pruitt isn't the only government official to be inundated with phone calls. Many Republican lawmakers have faced similar floods of calls expressing concern and opposition to Trump's policies.

But calls to elected officials are relatively common, while agency heads rarely face the same kind of outreach from the public.

Katherine So

Office of Media Relations Intern

U.S. Environmental Protection Agency

Telephone: (202)-564-4511

[so.katherine@epa.gov](mailto:so.katherine@epa.gov)

**To:** Champlain, Susan W[susan.w.champlain@boeing.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/13/2017 4:52:39 PM  
**Subject:** Re: Introduction and Boeing Meeting Request

Got ya. I will set it up

Sent from my iPhone

On Feb 13, 2017, at 11:52 AM, Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)> wrote:

No, I'm in Seattle/Olympia. Pete is in DC. He's a good guy.

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Monday, February 13, 2017 8:51 AM  
**To:** Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)>  
**Subject:** Re: Introduction and Boeing Meeting Request

U in dc

Sent from my iPhone

On Feb 13, 2017, at 11:42 AM, Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)> wrote:

Doug,

We'd love to sit down with you at your convenience. Hope you're enjoying your new role!

Susan

**From:** Pagano, Peter A  
**Sent:** Monday, February 13, 2017 7:02 AM  
**To:** [Ericksen.doug@Epa.gov](mailto:Ericksen.doug@Epa.gov)

**Cc:** Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)>

**Subject:** Introduction and Boeing Meeting Request

Dear Doug,

My name is Peter Pagano and I represent Boeing in their Washington DC government affairs office with a focus on federal environmental regulatory issues. I expect you are still getting settled into your new role at EPA but would like to request a meeting with you to introduce myself when it's convenient for your schedule. The purpose of the meeting would also be to flag a few issues that are important to the Boeing Company including those that have direct impacts to our operations in the State of Washington. We would like to make you aware of these issues so as the leadership positions are filled at the Agency we will be able to connect with the new officials at an appropriate time. I am available to meet with you in Washington DC or my colleague Susan Champlain (who you know well thru your state government service) can meet with you in Washington State. (FYI – I am a former EPA employee and worked in the Congressional Affairs Office for several years during the George W. Bush Administration...I left the Agency in 2006.)

We look forward to the opportunity to speak with you soon.

All the best,

Peter A. Pagano

Director, Environment

The Boeing Company

703-414-6486

Email: [peter.a.pagano@boeing.com](mailto:peter.a.pagano@boeing.com)



**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 1:11:12 PM  
**Subject:** RE: QUERY: OGC Pesticides/Toxic Substances Staff Speaking Engagements Coming Up

All of these in this email are good to go.

Ericksen

**From:** Grantham, Nancy  
**Sent:** Wednesday, January 25, 2017 6:49 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FW: QUERY: OGC Pesticides/Toxic Substances Staff Speaking Engagements Coming Up

Hi Doug,

Please advise on 2 external events below.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Albores, Richard

**Sent:** Tuesday, January 24, 2017 10:17 AM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>

**Cc:** Mclean, Kevin <[Mclean.Kevin@epa.gov](mailto:Mclean.Kevin@epa.gov)>

**Subject:** QUERY: OGC Pesticides/Toxic Substances Staff Speaking Engagements Coming Up

Nancy/George:

Can you run these by our new communications overseer (Doug Ericksen) for clearance ASAP?

Bob Perlis—scheduled to speak at NY State Bar Association meeting on Friday, January 27, as part of a panel discussion on legal issues regarding the use of pesticides in the cultivation of marijuana

David Berol—scheduled to speak at NY State Bar Association meeting on Friday, January 27, on TSCA Modernization

(As both of these are out of town, travel arrangements have been made and would need to be cancelled. Not sure how much lead time we have but basically if they are pulled we need to cancel almost immediately. Think tickets may have already been charged, at least to David. Also, pulling out at the last minute will have its own issues.)

Mark Dyner and Don Sadowsky—scheduled to be part of an intellectual property information exchange with the Peruvian government at the US PTO next Wednesday, Feb. 1; Mark would address FIFRA data collection and Don would address how EPA handles CBI related to pesticide products

Let me know if he has any questions.

R

~~~~~

**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue,  
NW \* MC2310A \* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \*  
mobile: Personal Phone/Ex. 6

**To:** Brand, Natalie[nbrand@king5.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 7:04:33 PM  
**Subject:** RE: EPA response question

Natie,

Sorry I did not see this. But the answer would have been that we didn't have a comment.

Hope all is well.

Doug

**From:** Brand, Natalie [mailto:nbrand@king5.com]  
**Sent:** Friday, March 3, 2017 4:31 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Morrow, Alison <amorrow@king5.com>  
**Subject:** EPA response question

Hi Sen. Ericksen,

Does the EPA have a response to the proposal that Reps Kilmer and Heck say would cut Puget Sound cleanup by 93%?

"This proposal would devastate efforts to restore shellfish beds, revitalize salmon runs, and recover the Sound for future generations. The federal government should be a partner in making the Sound healthy again, and as Vice Ranking Member of the House Appropriations Committee I will fight back against this completely irresponsible proposal," said the Congressmembers.

We would love a statement, if you're able to send one. CC'd is our environmental

reporter, Alison Morrow, who is working on the story today.

Sincerely,

**Natalie Brand**

*KING 5 Political Reporter*

[nbrand@king5.com](mailto:nbrand@king5.com)

@NatalieBrandK5

cell: Personal Phone/Ex. 6

**To:** Champlain, Susan W[susan.w.champlain@boeing.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 2/13/2017 4:51:10 PM  
**Subject:** Re: Introduction and Boeing Meeting Request

U in dc

Sent from my iPhone

On Feb 13, 2017, at 11:42 AM, Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)> wrote:

Doug,

We'd love to sit down with you at your convenience. Hope you're enjoying your new role!

Susan

**From:** Pagano, Peter A  
**Sent:** Monday, February 13, 2017 7:02 AM  
**To:** [Ericksen.doug@Epa.gov](mailto:Ericksen.doug@Epa.gov)  
**Cc:** Champlain, Susan W <[susan.w.champlain@boeing.com](mailto:susan.w.champlain@boeing.com)>  
**Subject:** Introduction and Boeing Meeting Request

Dear Doug,

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former EPA employee and worked in the Congressional Affairs Office for several years during the George W. Bush Administration...I left the Agency in 2006.)

We look forward to the opportunity to speak with you soon.

All the best,

Peter A. Pagano

Director, Environment

The Boeing Company

703-414-6486

Email: [peter.a.pagano@boeing.com](mailto:peter.a.pagano@boeing.com)

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 1/25/2017 1:06:44 PM  
**Subject:** When was this one released to the media?

[http://www.mlive.com/articles/20026476/epa\\_says\\_geneseee\\_township\\_powe.amp](http://www.mlive.com/articles/20026476/epa_says_geneseee_township_powe.amp)



**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 7:02:58 PM  
**Subject:** FW: chesapeake bay

Nancy,

Do you have the name and contact of the lead up at the Chesapeake Bay EPA office.

I, of course, left that file my other bag.

Doug Ericksen

**From:** Benton, Donald  
**Sent:** Monday, March 6, 2017 5:50 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FW: chesapeake bay

We need to make this fabulous!!!

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



**From:** Hale, Michelle  
**Sent:** Monday, March 6, 2017 12:52 PM  
**To:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>  
**Subject:** RE: chesapeake bay

Tentatively I am holding Thursday, March 23.

**From:** Benton, Donald  
**Sent:** Monday, March 6, 2017 12:50 PM  
**To:** Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>  
**Subject:** RE: chesapeake bay

Approx 1 hour each way for travel. What day are we looking at?

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



**From:** Hale, Michelle  
**Sent:** Monday, March 6, 2017 10:22 AM  
**To:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>  
**Subject:** chesapeake bay

Don, how much travel time will need to be blocked for the Chesapeake Bay events?

Michelle Hale

Executive Assistant to the Administrator

Environmental Protection Agency

1200 Pennsylvania Ave., NW,

WJCS, Suite 3000

Washington, D.C. 20460

(202) 564-1430

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**To:** Christian, Molly[Molly.Christian@spglobal.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/17/2017 6:24:01 PM  
**Subject:** RE: Possible climate executive orders

Molly,

Thank you for the email.

The White House will decide if they are going to release any executive orders that impact the EPA and they will make a determination when they would release an executive orders.

Sorry I cannot be of more help on this one.

Doug Ericksen

EPA Transition Team

Communications Lead

**From:** Christian, Molly [mailto:Molly.Christian@spglobal.com]  
**Sent:** Friday, February 17, 2017 11:23 AM  
**To:** ericksen.doug@epamail.epa.gov  
**Subject:** Possible climate executive orders

Hi Doug,

This is Molly Christian with SNL Energy. My colleague, Annalee Grant, gave me your contact info.

I am hearing that President Trump may release some executive orders related to climate change that could affect EPA policies so was wondering if you could share what those orders may contain and when they are coming out?

I was hoping to file something today on this so would be great to get a response as soon as you're able.

Thanks,  
Molly

**Molly Christian**  
Senior Reporter, Energy

**S&P Global Market Intelligence**  
1700 North Moore Street, Suite 1110  
Arlington, VA 22209  
T: 703.373.0163

[Molly.Christian@spglobal.com](mailto:Molly.Christian@spglobal.com)

Twitter: [@mollyknc](https://twitter.com/mollyknc)  
[www.spglobal.com](http://www.spglobal.com)

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Google+](#) |

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**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 5/9/2017 4:40:20 PM  
**Subject:** RE: Ericksen

Ryan,

Thank you for the response. I understand the pressure being applied by Alaska on the Region 10 appointment.

I would like to talk to you further.

I am not sure what you mean by there's just not an opportunity to meet? Does that mean with the Administrator or with you?

I understand your very tight schedule but I am hopeful that we can find a time to meet.

Doug Ericksen

**From:** Jackson, Ryan  
**Sent:** Tuesday, May 9, 2017 12:35 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Ericksen

There's just not an opportunity to meet. Frankly, I'm not sure what role in which to place you. I'm glad to talk with you about this further, but it's clear to me that the Regional job is dominated by considerations outside Washington St. and there's simply not an opportunity there either.

**From:** Ericksen, Doug

**Sent:** Tuesday, May 9, 2017 12:18 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Ericksen

Ryan,

When we spoke on the phone last week we talked about setting up a meeting with the Administrator.

Should I work through you to get that set up or should I go to his office to work on that?

Please advise.

Doug Ericksen

**To:** Nathan Rott[NRott@npr.org]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 11:47:09 PM  
**Subject:** Re: NPR Media Request

Phone number?

Sent from my iPhone

> On Jan 24, 2017, at 5:20 PM, Nathan Rott <NRott@npr.org> wrote:

>

> Hello Mr. Ericksen,

> My name is Nathan Rott and I'm a reporter with NPR. Myron Ebell suggested I reach out to you for clarification on the reports out today about a media blackout for EPA staff and a freeze on awarding new contracts or grants.

> I wanted to see if I could confirm that both of those actions have been taken - or if there's a better way to characterize the actions that were.

> Mr. Ebell said that none of these actions are out of the ordinary and that's dutifully noted. I'm hoping to get a better understanding of what these actions actually are and the reason they were taken.

> Any help would be greatly appreciated. Thanks for your time,

> Nathan



**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 3/13/2017 7:01:21 PM  
**Subject:** RE: moment to chat?

Sorry I did not see this since I was on the West Coast. I have critics? They must be talking about a different Doug Ericksen.

Doug

**From:** Davenport, Coral [mailto:coral.davenport@nytimes.com]  
**Sent:** Monday, March 6, 2017 6:22 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** moment to chat?

Some of your critics are calling attention to your work in Washington state Senate - particularly bringing in Tony Goodell -- and to the oil & coal contris to your state campaign -- and raising qs about this re your job as EPA spox. cld you respond?

thanks so much,

Coral

--

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)

O 202-862-0359

C Personal Phone/Ex. 6

Twitter @CoralMDavenport

**To:** Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/17/2017 2:46:44 PM  
**Subject:** rec letter 10.docx  
[rec letter 10.docx](#)

Here is the Region 10 EPA draft

ericksen

Doug Ericksen—EPA Transition Team Communication Lead

Recommendation for Region 10 EPA Administrator

# **Deliberative Process Privilege/Ex. 5**

**To:** Thompson, Anne (NBCUniversal)[Anne.Thompson@nbcuni.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 9:57:29 PM  
**Subject:** Re: Contracts, grants and the media/NBC News request

Phone number?

Sent from my iPhone

On Jan 24, 2017, at 4:22 PM, Thompson, Anne (NBCUniversal)  
<[Anne.Thompson@nbcuni.com](mailto:Anne.Thompson@nbcuni.com)> wrote:

Hi Doug,

I am trying to figure out what the Beach team has instructed EPA employees to do. Are contracts and grants frozen? Is there a media blackout?

Appreciate any guidance you can give.

All the best,

Anne Thompson

NBC News

**To:** Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/17/2017 2:46:06 PM  
**Subject:** ericksen cambodia  
[Document11.docx](#)

Here is my back up plan request.

Ericksen

February 16, 2017

Doug Ericksen for consideration for Ambassador to Cambodia

Currently EPA Transition Team Communications Lead

State Senator Doug Ericksen has been in the Washington State legislature since 1998. He currently serves as the Chair of the Senate Energy, Environment and Telecommunications Committee. He has

Senator Ericksen was an early supporter of President Trump, serving as the Washington State Deputy Director. He was vocal and visible in TV, radio and print media doing a large number of interviews and opinion pieces in support of then candidate Trump. He was the lead organizer for 3 Trump rallies in Washington.

Senator Ericksen has experience in international relations. As a Senator he has hosted foreign dignitaries and elected officials in Washington state, traveled to numerous Southeast Asian countries on diplomatic trips and has worked with foreign representatives in the Pacific Northwest.

Ericksen recently met with the Cambodian Prime Minister, his cabinet and other elected officials in Cambodia and in the United States. Those meetings led to Ericksen's interest in serving in this capacity.

Ericksen has a BA in Government from Cornell University and MA in Environmental Policy from Western Washington University.

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 8:16:31 PM  
**Subject:** RE: POLITICO: EPA memo calls for communications lockdown

Nancy,

Your response looks good to me. Please use as necessary.

Doug Ericksen

**From:** Grantham, Nancy  
**Sent:** Tuesday, January 24, 2017 3:02 PM  
**To:** McCabe, Catherine <McCabe.Catherine@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** FW: POLITICO: EPA memo calls for communications lockdown

Below, highlighted, Politico, is the story that is prompting all of the inquiries. The memo that is being discussed, is one sent by the comms person in oarm, rather than an agency-wide email.

We should discuss the proposed statement below.

Suggested response:

**Deliberative Process Privilege/Ex. 5**



Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

Personal Phone/Ex. 6 **(mobile)**

**From:** Valentine, Julia

**Sent:** Tuesday, January 24, 2017 11:15 AM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>

**Subject:** Fwd: POLITICO: EPA memo calls for communications lockdown

This article claims that Joanne Amorosi sent the email following the mtg w CDs yesterday.

Julia P. Valentine

Office of Media Relations

202.564.2663

Sent from USEPA iPhone

Begin forwarded message:

**From:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Date:** January 24, 2017 at 11:09:04 AM EST

**To:** AO OPA Media Relations <[AO\\_OPA\\_Media\\_Relations@epa.gov](mailto:AO_OPA_Media_Relations@epa.gov)>

**Subject:** POLITICO: EPA memo calls for communications lockdown

**EPA memo calls for communications lockdown**

By [Alex Guillén](#) and [Andrew Restuccia](#)

The Trump administration has temporarily restricted press releases, social media and other communications functions at EPA, according to an internal memo obtained by POLITICO.

The memo was sent Monday morning to various staffers by Joanne Amorosi, the communications director for EPA's Office of Resources, Operations, and Management, the agency's central administrative branch.

It warns against virtually all public, external communications by EPA employees: No press releases, no blog posts, and no social media until a new "digital strategist" is hired. Trump's beachhead team will review EPA's previously planned public webinars "and decide which ones will go forward."

Any staff planning on speaking at conferences or other public venues for the next month and a half must clear it with Trump's people. Requests from the media "will be carefully screened." And employees are asked not to send emails via listserv unless "essential," since those messages "can be shared broadly and end up in the press."

The memo was first reported by The Huffington Post.

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 5/9/2017 2:39:47 PM  
**Subject:** Doug Ericksen

Good morning Samantha.

I am a member of the original transition team and I am friend of former WA AG Rob McKenna.

I am also a Senator in Washington State where I chair the Energy and Environment Committee.

If your schedule allows I would like meet with you for a few minutes to introduce myself.

Doug Ericksen

Personal Phone/Ex. 6 cell

Personal Phone/Ex. 6 epa cell

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 8:15:53 PM  
**Subject:** RE: POLITICO: EPA memo calls for communications lockdown

**From:** Grantham, Nancy  
**Sent:** Tuesday, January 24, 2017 3:02 PM  
**To:** McCabe, Catherine <McCabe.Catherine@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** FW: POLITICO: EPA memo calls for communications lockdown

Below, highlighted, Politico, is the story that is prompting all of the inquiries. The memo that is being discussed, is one sent by the comms person in oarm, rather than an agency-wide email.

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Thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone/Ex. 6 (mobile)

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**Sent:** Tuesday, January 24, 2017 11:15 AM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>

**Subject:** Fwd: POLITICO: EPA memo calls for communications lockdown

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Julia P. Valentine

Office of Media Relations

202.564.2663

Sent from USEPA iPhone

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**From:** "Jones, Enesta" <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>

**Date:** January 24, 2017 at 11:09:04 AM EST

**To:** AO OPA Media Relations <[AO\\_OPA\\_Media\\_Relations@epa.gov](mailto:AO_OPA_Media_Relations@epa.gov)>

**Subject:** POLITICO: EPA memo calls for communications lockdown

**EPA memo calls for communications lockdown**

By [Alex Guillén](#) and [Andrew Restuccia](#)

The Trump administration has temporarily restricted press releases, social media and other communications functions at EPA, according to an internal [memo](#) obtained by POLITICO.

The memo was sent Monday morning to various staffers by Joanne Amorosi, the communications director for EPA's Office of Resources, Operations, and Management, the agency's central administrative branch.

It warns against virtually all public, external communications by EPA employees: No press releases, no blog posts, and no social media until a new "digital strategist" is hired. Trump's

beachhead team will review EPA's previously planned public webinars "and decide which ones will go forward."

Any staff planning on speaking at conferences or other public venues for the next month and a half must clear it with Trump's people. Requests from the media "will be carefully screened." And employees are asked not to send emails via listserv unless "essential," since those messages "can be shared broadly and end up in the press."

The memo was first reported by The Huffington Post.

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/17/2017 2:07:08 PM  
**Subject:** What is this?

When you have a second lets talk about this,

[https://www.vice.com/en\\_us/article/the-epa-posted-a-mirror-of-its-website-before-trump-can-gut-the-real-one-vgtrn](https://www.vice.com/en_us/article/the-epa-posted-a-mirror-of-its-website-before-trump-can-gut-the-real-one-vgtrn)

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Sat 2/11/2017 5:27:23 PM  
**Subject:** Re: A new query about Doug E.

Thank you for the heads up. I will handle. We can talk about it in person.  
Ericksen

Sent from my iPhone

On Feb 11, 2017, at 12:09 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi doug –

Presume you are aware of this and talking with this person? Let us know if you need us to do anything here. thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Holsman, Marianne  
**Sent:** Thursday, February 09, 2017 5:57 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>  
**Subject:** A new query about Doug E.

And, another:

Justin Stercula? (garbled last name), The Planet, Western Washington University newspaper in Bellingham, WA (in Sen. Doug Ericksen's legislative district). Doing a profile on Senator Ericksen and his role at EPA on the Trump transition team. Phone: 610-955-3234, no email provided.



Came in today, no deadline specified. I will be out of the office tomorrow and won't be able to enter this in inquiry tracker.

Let me know how you want to handle.

Thanks.

Marianne

Follow us!

[<image001.png>](#) [<image002.png>](#) [<image003.png>](#) [<image004.png>](#) [<image005.png>](#) [<image006.png>](#)

**From:** Grantham, Nancy

**Sent:** Thursday, February 09, 2017 2:31 PM

**To:** Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>; Valentine, Julia  
<[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)>

**Subject:** RE: Another reporter query on Alaska Forum Conference

Perfect thanks

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6 (mobile)**

**From:** Holsman, Marianne

**Sent:** Thursday, February 09, 2017 5:30 PM

**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>

**Subject:** Another reporter query on Alaska Forum Conference

I have another one. Oddly from the same public radio network:

Rachel Waldholz, [rwaldholz@alaskapublic.org](mailto:rwaldholz@alaskapublic.org), 907-550-8432, Personal Phone/Ex. 6

She wants to confirm EPA attendees at the conference and info. on the Indian General Assistance Program.

I could send the statement and then this link:

<https://www.epa.gov/tribal/region-10-tribal-program>

Let me know what you think, or if you want me to refer to you.

Marianne

Follow us!

[!\[\]\(c50c8b7b2cc2cf9ff925edec0ee94c0d\_img.jpg\)](#) [!\[\]\(8bed43dc33ecdde61e2f76c8f5517125\_img.jpg\)](#) [!\[\]\(047f882704cdc566325d0a83645d692e\_img.jpg\)](#) [!\[\]\(4f39bb1f5d124de68e2d5e309adc07d7\_img.jpg\)](#) [!\[\]\(9956dc689101f4d2cd02413c5e727ccb\_img.jpg\)](#) [!\[\]\(f293f70caa7f2c4cb2f08341cb68c804\_img.jpg\)](#)

**From:** Grantham, Nancy

**Sent:** Thursday, February 09, 2017 2:05 PM

**To:** Valentine, Julia <Valentine.Julia@epa.gov>

**Cc:** Holsman, Marianne <Holsman.Marianne@epa.gov>

**Subject:** FW: Here is the statement from Doug -- will you get this to the reporter? thanks  
ng

**Importance:** High

We can use doug's statement below (one we used prior) for the Alaska Mediia Inquiry.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Grantham, Nancy

**Sent:** Tuesday, February 07, 2017 3:12 PM

**To:** Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>

**Cc:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>

**Subject:** Here is the statement from Doug -- will you get this to the reporter? thanks ng

**Importance:** High

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**Statement from Doug Ericksen, Communications Lead for the EPA Transition Team**

“Since January 20<sup>th</sup> we have been reviewing the office expenditures. Last week during our review of expenditures we found that the EPA travel costs were \$44 million in 2016. We

also found out that in the last year alone there have been at least 25 outside conferences attended by EPA employees that have cost the American taxpayers at least \$100,000 per conference. In the case of the Alaska Forum, there were 34 EPA employees scheduled to attend. The acting Administrator when notified of this agreed it was wise to reduce the size of the EPA contingent to 17. This is one small example of how EPA will be working cooperatively with our staff and our outside partners to be better stewards of the American people's money."

**To:** Biesecker, Michael[MBiesecker@ap.org]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 7:18:56 PM  
**Subject:** Re: Message from the Acting Administrator

What is my time frame?

Sent from my iPhone

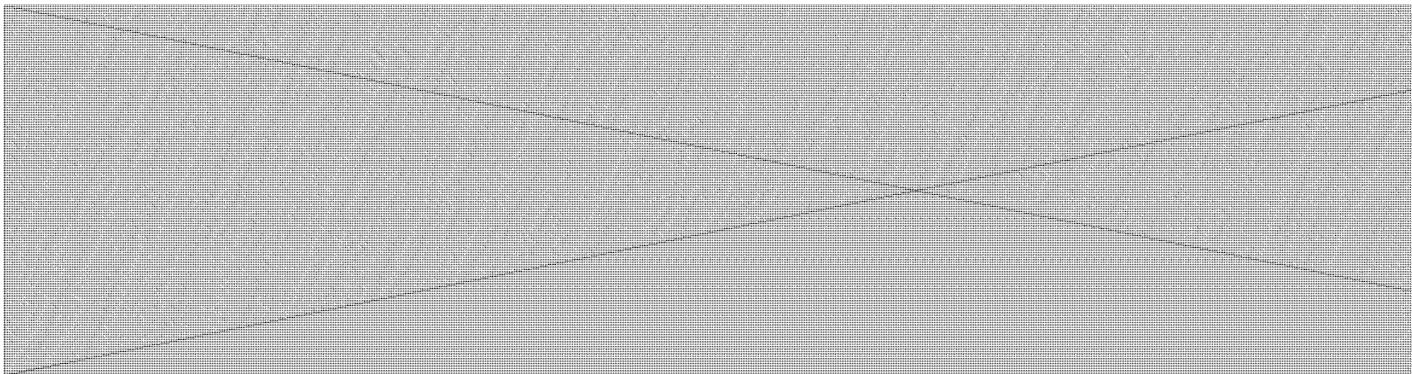
On Jan 24, 2017, at 2:14 PM, Biesecker, Michael <[MBiesecker@ap.org](mailto:MBiesecker@ap.org)> wrote:

Just tried calling you. Please clarify if it is the same or a different Mike Flynn, or we will be forced to report that you refused to answer.

**From:** Biesecker, Michael  
**Sent:** Tuesday, January 24, 2017 1:51 PM  
**To:** 'Ericksen, Doug'  
**Subject:** RE: Message from the Acting Administrator

Is Mike Flynn the son of Gen. Michael Flynn?

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Tuesday, January 24, 2017 1:46 PM  
**To:** Biesecker, Michael  
**Subject:** FW: Message from the Acting Administrator



Today we welcome to EPA members of President Trump's beachhead team. Acting Deputy Administrator Mike Flynn and I will work closely with them as they transition into the Agency.

A message from Senior White House Advisor Don Benton and White House Liaison Charles Munoz:

"As the leaders for the new Administration on EPA transition, we would like to say thank you for the warm reception that we have received. We are looking forward to working with the career professionals at the EPA to make this transition work as well as possible, and to carry out the Agency's mission to protect public health and the environment. We know and understand the incredible knowledge level and commitment of the people who work here. We will be asking you for help. We are committed to working with you. While transitions are always hard, straight forward honest communication combined with respect for each other will make the process work much better."

Listed below are the names and short bios of those currently serving on the transition team.

Layne Bangerter

- Layne is an Idaho native who most recently worked with Sen. Crapo. He brings a wealth of experience in the natural resources world related to farming and ranching.

Don Benton, Senior White House Advisor

- Don is from Washington State and served in the State Senate there for 20 years. Don has a long and accomplished history in the private sector in addition to his service as the head of a large county environmental office in Washington.

Patrick Davis

- Patrick is a nationally recognized political consultant and strategist. Since 1992, he has advised candidates for President, Governor, U.S. Senate, Congress, and state/local offices. Patrick is an organizational, strategic, and communications consultant to corporations, issue committees, and non-profits.

Doug Ericksen, Communications Director

- Doug is a Washington State native and a current member of the Washington State Senate. Senator Ericksen has extensive background in energy and environmental policy. He holds a B.A. in Government from Cornell University and a M.A. in Environmental Policy.

#### Holly Greaves, Budget Issues

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- David finished nine years with the Heritage Foundation as Senior Research Fellow in Energy, Economics, and Climate Change. David taught economics at Ohio University for three years and at James Madison University for 22 years. His academic research has been published in numerous professional publications.

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- Charles comes to the EPA from Nevada, where he served in key capacities for Americans for Prosperity. For the last two years, Charles served The Donald J. Trump campaign in several high level positions.

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- Justin is an environmental and regulatory lawyer currently practicing in the Washington, D.C., area. Justin will be serving as legal advisor on several fronts including environmental health and safety, in addition to other key areas of implementing EPA's core mission.

#### George Sugiyama

- George brings over 30 years of EPA experience with him to the transition team. George will be serving as a senior advisor to the team.

Please join me in welcoming our new colleagues to EPA.

Catherine McCabe

Acting Administrator



**To:** Brand, Natalie[nbrand@king5.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 7:03:26 PM  
**Subject:** RE: Message from the Acting Administrator

yes

**From:** Brand, Natalie [mailto:nbrand@king5.com]  
**Sent:** Tuesday, January 24, 2017 1:53 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Message from the Acting Administrator

Can I tweet this?

Sent from my iPhone

On Jan 24, 2017, at 10:51 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

<image003.jpg>

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Please join me in welcoming our new colleagues to EPA.

Catherine McCabe

Acting Administrator

**From:** Ericksen, Doug  
**Location:** Administrator's Office  
**Importance:** Normal  
**Subject:** Accepted: Meet and Greet II  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Tue 2/21/2017 2:20:00 PM  
**End Date/Time:** Tue 2/21/2017 2:40:00 PM

**To:** Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/10/2017 4:21:26 PM  
**Subject:** Emailing - SKC\_SES Bio Sheet.pdf  
SKC SES Bio Sheet.pdf

Charles,

Here is the Bio sheet. Let me know if you need anything else.

Ericksen

The White House  
Presidential Personnel Office  
**SKC/SES BIO SHEET**

This information is necessary to begin the clearance process. Return to White House Liaison when completed.

**PART I: PERSONAL INFORMATION (TO BE COMPLETED BY THE CANDIDATE)**

1. FULL NAME (Last, First, Middle):

**Douglas John Ericksen**

2. SOCIAL SECURITY NUMBER:

**Personal Matters/Ex. 6**

3. CURRENT RESIDENTIAL ADDRESS (Number, Street, City, State, ZIP Code)

**Personal Address/Ex. 6**

4. VOTING ADDRESS IN 2016 (Number, Street, City, State, ZIP Code, if different than current address)

same as above

5. PLACE OF BIRTH (City, State; if not U.S., state, country)

**Personal Matters/Ex. 6**

6. GENDER

**Male**

7. DATE OF BIRTH

**Personal Matters/Ex. 6**

8. ETHNIC HERITAGE

**Personal Matters/Ex. 6**

9. RACE

**Personal Matters/Ex. 6**

10. POLITICAL PARTY

**Republican**

11. HOME PHONE

**Personal Phone/Ex. 6 5**

12. CELL PHONE

**Personal Phone/Ex. 6**

13. WORK PHONE

**360-786-7682**

14. PERSONAL EMAIL

**Personal Email/Ex. 6**

15. WORK EMAIL

**Doug@SenatorEricksen.com**

16. CURRENT POSITION (Title, Company)

**State Senator Washington State**

17. WORK ADDRESS (Number, Street, City, State, Zip)

**414 Legislative Building Olympia, WA 98504-0442**

18. PLEASE LIST ALL SOCIAL MEDIA ACCOUNTS (Or say none if you have none)

Facebook—personal under Doug Ericksen  
Campaign Web page at [www.DougEricksen.com](http://www.DougEricksen.com)  
Twitter account is inactive for past several years

Facebook—Senate under Senator Ericksen  
Legislative web page [www.SenatorEricksen.com](http://www.SenatorEricksen.com)

19. EDUCATION (Degree, Institution, Year)

**BA Government Cornell University 1991  
MA Environmental Policy Western Washington University 1995**

20. AWARDS

**Several legislator of year awards from various pro-business organizations.**

21. MILITARY SERVICE (Rank, Branch, Years)

**none**

22. PREVIOUS PRESIDENTIAL APPOINTMENTS

**EPA Transition Team 2017**

**PART II: POSITION INFORMATION (TO BE COMPLETED BY WHITE HOUSE LIAISON)**

1. POSITION TITLE

2. AGENCY

2. APPOINTMENT TYPE

3. GRADE

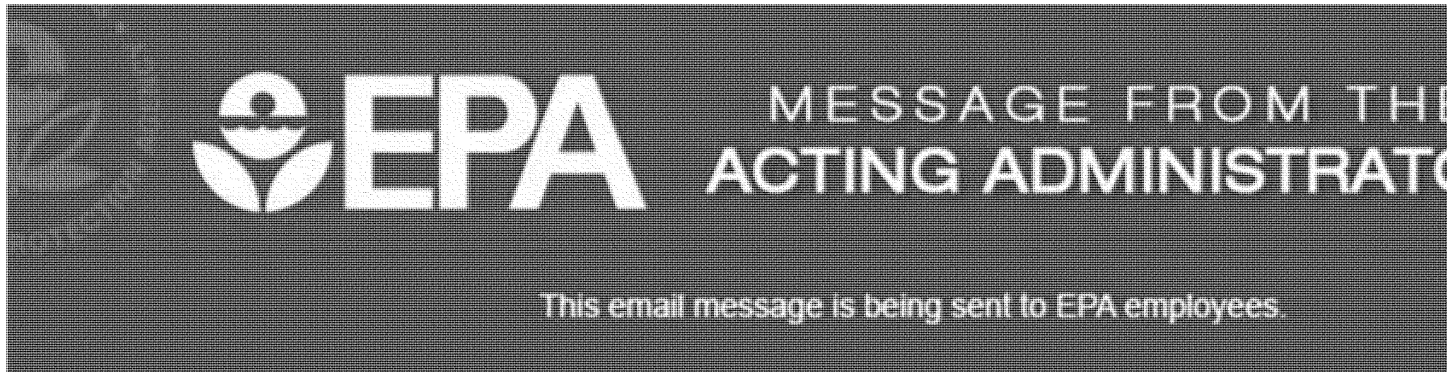
4. OPM NUMBER

5. WH LIAISON NAME

6. WH LIAISON PHONE

7. WH LIAISON EMAIL

**To:** nbrand@king5.com[nbrand@king5.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 6:51:09 PM  
**Subject:** FW: Message from the Acting Administrator



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Catherine McCabe

Acting Administrator

**To:** Ferris, Lena[Ferris.Lena@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 8:27:08 PM  
**Subject:** Ericksen, Doug Calendar  
[Ericksen Doug Calendar.ics](#)

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**Ericksen, Doug Calendar**

ericksen.doug@epa.gov

Monday, January 9, 2017 – Thursday, February 2, 2017

Time zone: (UTC-05:00) Eastern Time (US & Canada)

(Adjusted for Daylight Saving Time)

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**January 2017**

Su Mo Tu We Th Fr Sa

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| <u>15</u> | <u>16</u> | <u>17</u> | <u>18</u> | <u>19</u> | <u>20</u> | <u>21</u> |
| <u>22</u> | <u>23</u> | <u>24</u> | <u>25</u> | <u>26</u> | <u>27</u> | <u>28</u> |
| <u>29</u> | <u>30</u> | <u>31</u> |           |           |           |           |

**February 2017**

Su Mo Tu We Th Fr Sa

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| 12 | 13 | 14 | 15       | 16       | 17 | 18 |
| 19 | 20 | 21 | 22       | 23       | 24 | 25 |
| 26 | 27 | 28 |          |          |    |    |

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|-------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------|--------------------------|
|  | Busy          |  | Tentative         |  | Free                     |
|  | Out of Office |  | Working Elsewhere |  | Outside of Working Hours |

▲ Mon, Jan 9

- ☒ Before 8:00 AMFree
  - ☐ 8:00 AM – 5:00 PMFree
  - ☒ After 5:00 PMFree
- 

▲ Tue, Jan 10

- ☒ Before 8:00 AMFree
  - ☐ 8:00 AM – 2:30 PMFree
  - ☒ 2:30 PM – 3:30 PMFW: PADs/Comm Directors Weekly Meeting  
2530 WJC-North ; Call in number   
passcode   
Hull, George
  - ☐ 3:30 PM – 5:00 PMFree
  - ☒ After 5:00 PMFree
- 

▲ Wed, Jan 11 – Fri, Jan 13

- ☒ Before 8:00 AMFree
  - ☐ 8:00 AM – 5:00 PMFree
  - ☒ After 5:00 PMFree
-

▲ Sat, Jan 14 – Sun, Jan 15

☒ All DayFree

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▲ Mon, Jan 16 – Fri, Jan 20

☒ Before 8:00 AMFree  
☐ 8:00 AM – 5:00 PMFree  
☒ After 5:00 PMFree

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▲ Sat, Jan 21 – Sun, Jan 22

☒ All DayFree

---

▲ Mon, Jan 23

☒ Before 8:00 AMFree  
☐ 8:00 AM – 10:00 AMFree  
☒ 10:00 AM – 11:00 AMBagels with Beach Head Team - Principals/Invitees Only  
Administrator's Office  
Kenny, Shannon  
☐ 11:00 AM – 4:00 PMFree  
☒ 4:00 PM – 4:45 PMMeeting with Beachhead Team  
WJC-N 3412  
Benton, Donald  
☐ 4:45 PM – 5:00 PMFree  
☒ After 5:00 PMFree

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▲ Tue, Jan 24

|                                     |                          |                                                                         |
|-------------------------------------|--------------------------|-------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Before 8:00 AM</b>    | Free                                                                    |
| <input type="checkbox"/>            | <b>8:00 AM – 2:00 PM</b> | Free                                                                    |
| <input checked="" type="checkbox"/> | 2:00 PM – 2:30 PM        | <u>Daily Check-in</u><br>WJC-N 3412<br>McCabe, Catherine                |
| <input type="checkbox"/>            | <b>2:30 PM – 3:30 PM</b> | Free                                                                    |
| <input checked="" type="checkbox"/> | 3:30 PM – 4:00 PM        | <u>FW: Grants Update Discussion</u><br>DCROOMWJCN3330Q<br>Vizian, Donna |
| <input checked="" type="checkbox"/> | 4:00 PM – 4:45 PM        | <u>Meeting with Beachhead Team</u><br>WJC-N 3412<br>Benton, Donald      |
| <input type="checkbox"/>            | <b>4:45 PM – 5:00 PM</b> | Free                                                                    |
| <input checked="" type="checkbox"/> | <b>After 5:00 PM</b>     | Free                                                                    |

---

▲ Wed, Jan 25

|                                     |                            |                                                                                                                          |
|-------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Before 8:00 AM</b>      | Free                                                                                                                     |
| <input type="checkbox"/>            | <b>8:00 AM – 10:00 AM</b>  | Free                                                                                                                     |
| <input checked="" type="checkbox"/> | 10:00 AM – 10:45 AM        | <u>Briefing with Office of Water (OW)</u><br>Alm Conference Room<br>Benton, Donald                                       |
| <input type="checkbox"/>            | <b>10:45 AM – 11:00 AM</b> | Free                                                                                                                     |
| <input checked="" type="checkbox"/> | 11:00 AM – 11:45 AM        | <u>Briefing with Office of General Counsel (OGC)</u><br>Alm Conference Room<br>Benton, Donald                            |
| <input type="checkbox"/>            | <b>11:45 AM – 12:30 PM</b> | Free                                                                                                                     |
| <input checked="" type="checkbox"/> | 12:30 PM – 1:30 PM         | <u>Budget matters</u><br>4406 WJC-N<br>Greaves, Holly                                                                    |
| <input checked="" type="checkbox"/> | 1:00 PM – 1:45 PM          | <u>Briefing with Office of Chemical Safety and Pollution Prevention (OCSPP)</u><br>Alm Conference Room<br>Benton, Donald |
| <input checked="" type="checkbox"/> | 1:30 PM – 2:30 PM          | <u>Grants Discussion</u>                                                                                                 |

DCRoomARN3330/DC-AR-OARM

Vizian, Donna

☒ 2:00 PM – 2:30 PM Daily Check-in

WJC-N 3412

Mccabe, Catherine

☐ **2:30 PM – 4:00 PM** Free

☒ 4:00 PM – 4:45 PM Meeting with Beachhead Team

WJC-N 3412

Benton, Donald

☐ **4:45 PM – 5:00 PM** Free

☐ **After 5:00 PM** Free

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▲ **Thu, Jan 26**

☐ **Before 8:00 AM** Free

☐ **8:00 AM – 1:00 PM** Free

☒ 1:00 PM – 1:45 PM Briefing with Office of Air and Radiation (OAR)

Alm Conference Room

Benton, Donald

☐ **1:45 PM – 2:00 PM** Free

☒ 2:00 PM – 2:30 PM Daily Check-in

WJC-N 3412

Mccabe, Catherine

☐ **2:30 PM – 4:00 PM** Free

☒ 4:00 PM – 4:45 PM Meeting with Beachhead Team

WJC-N 3412

Benton, Donald

☐ **4:45 PM – 5:00 PM** Free

☐ **After 5:00 PM** Free

---

▲ **Fri, Jan 27**

☐ **Before 8:00 AM** Free

☐ **8:00 AM – 11:00 AM** Free

☒ 11:00 AM – 11:45 AM Briefing with Office of Enforcement and Compliance

Assurance (OECA)

Alm Conference Room

- Benton, Donald
- ☐ **11:45 AM – 2:00 PM**Free
- ☒ 2:00 PM – 2:30 PMDaily Check-in  
WJC-N 3412  
Mccabe, Catherine
- ☐ **2:30 PM – 4:00 PM**Free
- ☒ 4:00 PM – 4:45 PMMeeting with Beachhead Team  
WJC-N 3412  
Benton, Donald
- ☐ **4:45 PM – 5:00 PM**Free
- ☒ **After 5:00 PM**Free
- 

▲ **Sat, Jan 28 – Sun, Jan 29**

- ☒ **Before 4:00 PM**Free
- ☒ 4:00 PM – 4:45 PMMeeting with Beachhead Team  
WJC-N 3412  
Benton, Donald
- ☒ **After 4:45 PM**Free
- 

▲ **Mon, Jan 30**

- ☒ **Before 8:00 AM**Free
- ☐ **8:00 AM – 10:00 AM**Free
- ☒ 10:00 AM – 10:45 AMBriefing with Office of Chief Financial Officer (OCFO)  
Alm Conference Room  
Benton, Donald
- ☐ **10:45 AM – 11:00 AM**Free
- ☒ 11:00 AM – 12:00 PMClimate Comm. Plan  
3402 WJC-N  
Schnare, David
- ☐ **12:00 PM – 1:00 PM**Free
- ☒ 1:00 PM – 2:00 PMSenior Staff Meeting  
Alm Conference Room  
Mccabe, Catherine
- ☒ 2:00 PM – 2:30 PMDaily Check-in  
WJC-N 3412

Mccabe, Catherine

- ☐ 2:30 PM – 4:00 PM Free
  - ☒ 4:00 PM – 4:45 PM Meeting with Beachhead Team  
WJC-N 3412  
Benton, Donald
  - ☐ 4:45 PM – 5:00 PM Free
  - ☒ After 5:00 PM Free
- 

▲ Tue, Jan 31

- ☒ Before 8:00 AM Free
  - ☐ 8:00 AM – 10:00 AM Free
  - ☒ 10:00 AM – 10:45 AM Briefing with Office of Land and Emergency Management (OLEM)  
Alm Conference Room  
Benton, Donald
  - ☐ 10:45 AM – 11:00 AM Free
  - ☒ 11:00 AM – 11:45 AM Briefing for Office of Administration and Resources Management  
Alm Conference Room  
Benton, Donald
  - ☐ 11:45 AM – 2:00 PM Free
  - ☒ 2:00 PM – 2:30 PM Daily Check-in  
WJC-N 3412  
Mccabe, Catherine
  - ☒ 2:30 PM – 3:30 PM FW: PADs/Comm Directors Weekly Meeting  
2530 WJC-North ; Call in number   
passcode   
Hull, George
  - ☐ 3:30 PM – 4:00 PM Free
  - ☒ 4:00 PM – 4:45 PM Meeting with Beachhead Team  
WJC-N 3412  
Benton, Donald
  - ☐ 4:45 PM – 5:00 PM Free
  - ☒ After 5:00 PM Free
- 

February 2017

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▲ Wed, Feb 1

|                                     |                            |                                                                                                                                                                                                                             |
|-------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Before 8:00 AM</b>      | Free                                                                                                                                                                                                                        |
| <input type="checkbox"/>            | <b>8:00 AM – 10:00 AM</b>  | Free                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | 10:00 AM – 10:45 AM        | <u>Briefing with Office of Environmental Information (OEI)</u><br>Alm Conference Room<br>Benton, Donald                                                                                                                     |
| <input type="checkbox"/>            | <b>10:45 AM – 11:00 AM</b> | Free                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | 11:00 AM – 12:00 PM        | <u>Benefit Briefing</u><br>3412 WJC-N<br>Munoz, Charles                                                                                                                                                                     |
| <input type="checkbox"/>            | <b>12:00 PM – 2:00 PM</b>  | Free                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | 2:00 PM – 2:30 PM          | <u>Daily Check-in</u><br>WJC-N 3412<br>McCabe, Catherine                                                                                                                                                                    |
| <input type="checkbox"/>            | <b>2:30 PM – 3:30 PM</b>   | Free                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | 3:30 PM – 4:30 PM          | <u>Information Law Briefing - (teleconference</u> <span>Conference Code/Ex. 6</span><br><span>Conference Code/Ex. 6</span> <u>passcode</u> <span>Conference Code/Ex. 6</span> )<br>Alm Conference Room<br>McCabe, Catherine |
| <input checked="" type="checkbox"/> | 4:00 PM – 4:45 PM          | <u>Meeting with Beachhead Team</u><br>WJC-N 3412<br>Benton, Donald                                                                                                                                                          |
| <input type="checkbox"/>            | <b>4:45 PM – 5:00 PM</b>   | Free                                                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | <b>After 5:00 PM</b>       | Free                                                                                                                                                                                                                        |

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▲ Thu, Feb 2

|                                     |                            |                                                                                                                   |
|-------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Before 8:00 AM</b>      | Free                                                                                                              |
| <input type="checkbox"/>            | <b>8:00 AM – 10:00 AM</b>  | Free                                                                                                              |
| <input checked="" type="checkbox"/> | 10:00 AM – 10:45 AM        | <u>Briefing for Office of International and Tribal Affairs</u><br>(OITA)<br>Alm Conference Room<br>Benton, Donald |
| <input type="checkbox"/>            | <b>10:45 AM – 11:00 AM</b> | Free                                                                                                              |
| <input checked="" type="checkbox"/> | 11:00 AM – 12:00 PM        | <u>Records Management (please bring your laptop and do not logout)</u><br>3530 WJC-N<br>Munoz, Charles            |
| <input type="checkbox"/>            | <b>12:00 PM – 2:00 PM</b>  | Free                                                                                                              |
| <input checked="" type="checkbox"/> | 2:00 PM – 2:30 PM          | <u>Daily Check-in</u>                                                                                             |

- WJC-N 3412  
Mccabe, Catherine
- ☐ 2:30 PM – 4:00 PM Free
- ☒ 4:00 PM – 4:45 PM Meeting with Beachhead Team  
WJC-N 3412  
Benton, Donald
- ☐ 4:45 PM – 5:00 PM Free
- ☐ After 5:00 PM Free

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## Details

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**Tuesday, January 10, 2017**

▲ **Time** 2:30 PM – 3:30 PM  
**Subject** FW: PADs/Comm Directors Weekly Meeting  
**Location** 2530 WJC-North ; Call in number  passcode   
**Recurrence** Occurs every Tuesday effective 1/10/2017 until 1/31/2017 from 2:30 PM to 3:30 PM  
**Show Time As** Tentative  
 John and Doug,  
 I'm forwarding the calendar invite for our regular Tuesday mtg/call with Headquarters Communications Directors and Regional Public Affairs Directors. I believe that Nancy mentioned it to you. Hope you can join us at 2:30 pm. Thanks, George

-----Original Appointment-----

From: Hull, George

Sent: Tuesday, August 09, 2016 2:04 PM

To: Hull, George; PADs and Alternates; Comm Directors and Alternates; AO OPA Media Relations; Peterson, John; Zito, Kelly; Ragland, Micah; Deitz, Randy; Nowotarski, Allison; Kadeli, Annie; Brees, Angela; Abercrombie, Almethyist; Sharpe, Kristinn; Brown, Margot; Rowan, Anne

Cc: Lincoln, Larry; Daguillard, Robert; Jones, Enesta; Philip, Jeff; Jones, Celeste; Milbourn, Cathy; Benenati, Frank; Dennis, Allison; Kandil, Shereen; Gutro, Doug; Holsman, Marianne; Saddler, Melissa; White, Terri-A; Kely, Diane; Fraser, Scott; D'Andrea, Michael; Marraccini, Davina; McMichael, Nate; Jenkins, Laura Flynn; Kelley, Jeff; Valentine, Julia; Deegan, Dave; Smith, Paula; Abrams, Dan; Cohen, Nancy; Kent, Alison; Conger, Nick; Enobakhare, Rosemary; Hubbard, Carolyn; Juarez, MariaElena; Senn, John; McGowan, Michael; Loop, Travis; Maguire, Megan; Pinkney, James; Gibbons, Dayna; Orquina, Jessica; schaffer, joan; Germann, Sandy; Amorosi, Joanne; Harrison, Melissa; Dunton, Cheryl; McClain-Vanderpool,

Lisa; Kargbo, Marcia; Moritz, Brigitte; Taheri, Diane; Grantham, Nancy; Millett, John; Lynn, Tricia; Slotkin, Ron; Mutter, Andrew; StClair, Christie; Hart, Daniel; Vuong, Stephanie; Drinkard, Andrea; Carroll, Carly; Widener, Charles (Chuck); Coviello, Nancy; Reiter, Lisa; Emily Selia (Selia.Emily@epa.gov  
<mailto:Selia.Emily@epa.gov> ); Ng, Brian; Cox, Andrew; McGillicuddy, Mary; Martin, JohnT; Fortin, Denise; Eileen Deamer; Ronna Beckmann; Karen Reshkin - EPA; Richardson, RobinH  
Subject: PADs/Comm Directors Weekly Meeting  
When: Occurs every Tuesday effective 8/9/2016 from 2:30 PM to 3:30 PM (UTC-05:00) Eastern Time (US & Canada).  
Where: 2530 WJC-North ; Call in number:  Conference Code/Ex. 6  passcode:

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                                               | <b>Attendance</b> |
|------------------|--------------------------------------------------------------------------|-------------------|
|                  | Hull, George <Hull.George@epa.gov>                                       | Organizer         |
|                  | Konkus, John <konkus.john@epa.gov>                                       | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>                                   | Required          |
|                  | PADs and Alternates <PADs_and_Alternates@epa.gov>                        | Required          |
|                  | Comm Directors and Alternates<br><Comm_Directors_and_Alternates@epa.gov> | Required          |
|                  | AO OPA Media Relations<br><AO_OPA_Media_Relations@epa.gov>               | Required          |
|                  | Peterson, John <peterson.john@epa.gov>                                   | Required          |
|                  | Zito, Kelly <ZITO.KELLY@EPA.GOV>                                         | Required          |
|                  | Ragland, Micah <Ragland.Micah@epa.gov>                                   | Required          |
|                  | Deitz, Randy <Deitz.Randy@epa.gov>                                       | Required          |
|                  | Nowotarski, Allison <nowotarski.allison@epa.gov>                         | Required          |
|                  | Kadeli, Annie <Kadeli.Annie@epa.gov>                                     | Required          |
|                  | Brees, Angela <Brees.Angela@epa.gov>                                     | Required          |
|                  | Abercrombie, Almethyist<br><Abercrombie.Almethyist@epa.gov>              | Required          |
|                  | Sharpe, Kristinn <Sharpe.Kristinn@epa.gov>                               | Required          |
|                  | Lincoln, Larry <Lincoln.Larry@epa.gov>                                   | Optional          |
|                  | Daguillard, Robert <Daguillard.Robert@epa.gov>                           | Optional          |
|                  | Jones, Enesta <Jones.Enesta@epa.gov>                                     | Optional          |
|                  | Philip, Jeff <Philip.Jeff@epa.gov>                                       | Optional          |

|                                                    |          |
|----------------------------------------------------|----------|
| Jones, Celeste <Jones.Celeste@epa.gov>             | Optional |
| Milbourn, Cathy <Milbourn.Cathy@epa.gov>           | Optional |
| Benenati, Frank <benenati.frank@epa.gov>           | Optional |
| Dennis, Allison <Dennis.Allison@epa.gov>           | Optional |
| Kandil, Shereen <Kandil.Shereen@epa.gov>           | Optional |
| Gutro, Doug <Gutro.Doug@epa.gov>                   | Optional |
| Holsman, Marianne <Holsman.Marianne@epa.gov>       | Optional |
| Saddler, Melissa <Saddler.Melissa@epa.gov>         | Optional |
| White, Terri-A <White.Terri-A@epa.gov>             | Optional |
| Kelty, Diane <Kelty.Diane@epa.gov>                 | Optional |
| Fraser, Scott <Fraser.Scott@epa.gov>               | Optional |
| D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>        | Optional |
| Marraccini, Davina <Marraccini.Davina@epa.gov>     | Optional |
| McMichael, Nate <McMichael.Nate@epa.gov>           | Optional |
| Jenkins, Laura Flynn <Jenkins.Laura@epa.gov>       | Optional |
| Kelley, Jeff <kelley.jeff@epa.gov>                 | Optional |
| Valentine, Julia <Valentine.Julia@epa.gov>         | Optional |
| Deegan, Dave <Deegan.Dave@epa.gov>                 | Optional |
| Smith, Paula <Smith.Paula@epa.gov>                 | Optional |
| Abrams, Dan <Abrams.Dan@epa.gov>                   | Optional |
| Cohen, Nancy <Cohen.Nancy@epa.gov>                 | Optional |
| Kent, Alison <kent.alison@epa.gov>                 | Optional |
| Conger, Nick <Conger.Nick@epa.gov>                 | Optional |
| Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov> | Optional |
| Hubbard, Carolyn <Hubbard.Carolyn@epa.gov>         | Optional |
| Juarez, MariaElena <Juarez.MariaElena@epa.gov>     | Optional |
| Senn, John <Senn.John@epa.gov>                     | Optional |
| McGowan, Michael <McGowan.Michael@epa.gov>         | Optional |

|                                                            |          |
|------------------------------------------------------------|----------|
| Loop, Travis <Loop.Travis@epa.gov>                         | Optional |
| Maguire, Megan <Maguire.Megan@epa.gov>                     | Optional |
| Pinkney, James <Pinkney.James@epa.gov>                     | Optional |
| Gibbons, Dayna <Gibbons.Dayna@epa.gov>                     | Optional |
| Orquina, Jessica <Orquina.Jessica@epa.gov>                 | Optional |
| schafer, joan <schafer.joan@epa.gov>                       | Optional |
| Germann, Sandy <Germann.Sandy@epa.gov>                     | Optional |
| Amorosi, Joanne <Amorosi.Joanne@epa.gov>                   | Optional |
| Harrison, Melissa <Harrison.Melissa@epa.gov>               | Optional |
| Dunton, Cheryl <Dunton.Cheryl@epa.gov>                     | Optional |
| McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov> | Optional |
| Kargbo, Marcia <Kargbo.Marcia@epa.gov>                     | Optional |
| Moritz, Brigitte <Moritz.Brigette@epa.gov>                 | Optional |
| Taheri, Diane <Taheri.Diane@epa.gov>                       | Optional |
| Grantham, Nancy <Grantham.Nancy@epa.gov>                   | Optional |
| Millett, John <Millett.John@epa.gov>                       | Optional |
| Lynn, Tricia <lynn.tricia@epa.gov>                         | Optional |
| Slotkin, Ron <slotkin.ron@epa.gov>                         | Optional |
| Mutter, Andrew <mutter.andrew@epa.gov>                     | Optional |
| StClair, Christie <StClair.Christie@epa.gov>               | Optional |
| Hart, Daniel <Hart.Daniel@epa.gov>                         | Optional |
| Vuong, Stephanie <Vuong.Stephanie@epa.gov>                 | Optional |
| Drinkard, Andrea <Drinkard.Andrea@epa.gov>                 | Optional |
| Carroll, Carly <Carroll.Carly@epa.gov>                     | Optional |
| Widener, Charles (Chuck) <Widener.Charles@epa.gov>         | Optional |
| Coviello, Nancy <Coviello.Nancy@epa.gov>                   | Optional |
| Reiter, Lisa <Reiter.Lisa@epa.gov>                         | Optional |

|                                                            |          |
|------------------------------------------------------------|----------|
| Emily Selia (Selia.Emily@epa.gov)<br><Selia.Emily@epa.gov> | Optional |
| Ng, Brian <Ng.Brian@epa.gov>                               | Optional |
| Brown, Margot <Brown.Margot@epa.gov>                       | Required |
| Cox, Andrew <Cox.Andrew@epa.gov>                           | Optional |
| McGillicuddy, Mary <mcgillicuddy.mary@epa.gov>             | Optional |
| Martin, JohnT <martin.johnt@epa.gov>                       | Optional |
| Rowan, Anne <rowan.anne@epa.gov>                           | Required |
| Fortin, Denise <Fortin.Denise@epa.gov>                     | Optional |
| Eileen Deamer <Deamer.Eileen@epa.gov>                      | Optional |
| Ronna Beckmann <Beckmann.Ronna@epa.gov>                    | Optional |
| Karen Reshkin - EPA <Reshkin.Karen@epa.gov>                | Optional |
| Richardson, RobinH <Richardson.RobinH@epa.gov>             | Optional |

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**Monday, January 23, 2017**

▲ **Time** 10:00 AM – 11:00 AM

**Subject** Bagels with Beach Head Team - Principals/Invitees Only

**Location** Administrator's Office

**Show Time As** Busy

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                     | <b>Attendance</b> |
|------------------|------------------------------------------------|-------------------|
|                  | Kenny, Shannon <Kenny.Shannon@epa.gov>         | Organizer         |
|                  | Dunham, Sarah <Dunham.Sarah@epa.gov>           | Required          |
|                  | Richardson, RobinH <Richardson.RobinH@epa.gov> | Required          |
|                  | Reeder, John <Reeder.John@epa.gov>             | Required          |
|                  | Hull, George <Hull.George@epa.gov>             | Required          |
|                  | Fine, Steven <fine.steven@epa.gov>             | Required          |
|                  | Breen, Barry <Breen.Barry@epa.gov>             | Required          |
|                  | Bloom, David <Bloom.David@epa.gov>             | Required          |

|                                                        |          |
|--------------------------------------------------------|----------|
| Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov> | Required |
| Shapiro, Mike <Shapiro.Mike@epa.gov>                   | Required |
| Kavlock, Robert <Kavlock.Robert@epa.gov>               | Required |
| Minoli, Kevin <Minoli.Kevin@epa.gov>                   | Required |
| Flynn, Mike <Flynn.Mike@epa.gov>                       | Required |
| Nishida, Jane <Nishida.Jane@epa.gov>                   | Required |
| Vizian, Donna <Vizian.Donna@epa.gov>                   | Required |
| Mccabe, Catherine <McCabe.Catherine@epa.gov>           | Required |
| Starfield, Lawrence <Starfield.Lawrence@epa.gov>       | Required |
| Benton, Donald <benton.donald@epa.gov>                 | Required |
| Schnare, David <schnare.david@epa.gov>                 | Required |
| Greaves, Holly <greaves.holly@epa.gov>                 | Required |
| Sugiyama, George <sugiyama.george@epa.gov>             | Required |
| Bangerter, Layne <bangerter.layne@epa.gov>             | Required |
| Schwab, Justin <schwab.justin@epa.gov>                 | Required |
| Munoz, Charles <munoz.charles@epa.gov>                 | Required |
| Davis, Patrick <davis.patrick@epa.gov>                 | Required |
| Kreutzer, David <kreutzer.david@epa.gov>               | Required |
| Ericksen, Doug <ericksen.doug@epa.gov>                 | Required |
| Grantham, Nancy <Grantham.Nancy@epa.gov>               | Optional |





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**Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

---

**Tuesday, January 24, 2017**

|                                                                                     |                     |                                                                                                                          |
|-------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------|
|  | <b>Time</b>         | 2:00 PM – 2:30 PM                                                                                                        |
|                                                                                     | <b>Subject</b>      | Daily Check-in                                                                                                           |
|                                                                                     | <b>Location</b>     | WJC-N 3412                                                                                                               |
|                                                                                     | <b>Recurrence</b>   | Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM |
|                                                                                     | <b>Show Time As</b> | Tentative                                                                                                                |
|                                                                                     | <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                                                                                               |
|                                                                                     |                     | Mccabe, Catherine <McCabe.Catherine@epa.gov>                                                                             |
|                                                                                     |                     | Flynn, Mike <Flynn.Mike@epa.gov>                                                                                         |
|                                                                                     |                     | Ericksen, Doug <ericksen.doug@epa.gov>                                                                                   |
|                                                                                     |                     | Schnare, David <schnare.david@epa.gov>                                                                                   |
|                                                                                     |                     | Benton, Donald <benton.donald@epa.gov>                                                                                   |
|                                                                                     |                     | Munoz, Charles <munoz.charles@epa.gov>                                                                                   |





**Time** 3:30 PM – 4:00 PM  
**Subject** FW: Grants Update Discussion  
**Location** DCROOMWJCN3330Q  
**Show Time As** Tentative  
-----Original Appointment-----  
From: Vizian, Donna  
Sent: Tuesday, January 24, 2017 7:16 AM  
To: Vizian, Donna; Showman, John; Greaves, Holly; Polk, Denise  
Cc: Cooper, Marian; Bangerter, Layne; Gantt, Melissa; Binder, Bruce;  
Schnare, David  
Subject: Grants Update Discussion  
When: Tuesday, January 24, 2017 3:30 PM-4:00 PM (UTC-05:00)  
Eastern Time (US & Canada).  
Where: DCROOMWJCN3330Q

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Vizian, Donna <Vizian.Donna@epa.gov>       | Organizer         |
|                  | Showman, John <Showman.John@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Polk, Denise <Polk.Denise@epa.gov>         | Required          |
|                  | Cooper, Marian <Cooper.Marian@epa.gov>     | Optional          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Optional          |
|                  | Gantt, Melissa <Gantt.Melissa@epa.gov>     | Optional          |
|                  | Binder, Bruce <Binder.Bruce@epa.gov>       | Optional          |
|                  | Schnare, David <schnare.david@epa.gov>     | Optional          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Optional          |




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**Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

**Wednesday, January 25, 2017**

|                                                                                     |                     |                                              |                   |
|-------------------------------------------------------------------------------------|---------------------|----------------------------------------------|-------------------|
|  | <b>Time</b>         | 10:00 AM – 10:45 AM                          |                   |
|                                                                                     | <b>Subject</b>      | Briefing with Office of Water (OW)           |                   |
|                                                                                     | <b>Location</b>     | Alm Conference Room                          |                   |
|                                                                                     | <b>Show Time As</b> | Tentative                                    |                   |
|                                                                                     |                     | SCt: Denise Anderson, 564-1782               |                   |
|                                                                                     | <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|                                                                                     |                     | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                                                                                     |                     | Shapiro, Mike <Shapiro.Mike@epa.gov>         | Required          |
|                                                                                     |                     | Best-Wong, Benita <Best-Wong.Benita@epa.gov> | Required          |
|                                                                                     |                     | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                                                                                     |                     | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                                                                                     |                     | Schnare, David <schnare.david@epa.gov>       | Required          |
|                                                                                     |                     | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                                                                                     |                     | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                                                                                     |                     | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |

|                                          |          |
|------------------------------------------|----------|
| Schwab, Justin <schwab.justin@epa.gov>   | Required |
| Munoz, Charles <munoz.charles@epa.gov>   | Required |
| Davis, Patrick <davis.patrick@epa.gov>   | Required |
| Kreutzer, David <kreutzer.david@epa.gov> | Required |
| Ericksen, Doug <ericksen.doug@epa.gov>   | Required |




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**Time** 11:00 AM – 11:45 AM  
**Subject** Briefing with Office of General Counsel (OGC)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
 SCt: Denise Anderson, 564-1782

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Minoli, Kevin <Minoli.Kevin@epa.gov>         | Required          |
|                  | Packard, Elise <Packard.Elise@epa.gov>       | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Hautamaki, Jared <Hautamaki.Jared@epa.gov>   | Optional          |

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▲ **Time** 12:30 PM – 1:30 PM  
**Subject** Budget matters  
**Location** 4406 WJC-N  
**Show Time As** Tentative  
David, I believe I have your office location correct. Please let me know if I do not, and I will update the calendar appointment. Thanks!  
**Attendees**

| Name <E-mail>                          | Attendance |
|----------------------------------------|------------|
| Greaves, Holly <greaves.holly@epa.gov> | Organizer  |
| Bloom, David <Bloom.David@epa.gov>     | Required   |
| Ericksen, Doug <ericksen.doug@epa.gov> | Required   |

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▲ **Time** 1:00 PM – 1:45 PM  
**Subject** Briefing with Office of Chemical Safety and Pollution Prevention (OCSPP)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
SCt: Denise Anderson, 564-1782  
**Attendees**

| Name <E-mail>                                          | Attendance |
|--------------------------------------------------------|------------|
| Benton, Donald <benton.donald@epa.gov>                 | Organizer  |
| Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov> | Required   |
| Flynn, Mike <Flynn.Mike@epa.gov>                       | Required   |
| Mccabe, Catherine <McCabe.Catherine@epa.gov>           | Required   |
| Schnare, David <schnare.david@epa.gov>                 | Required   |
| Greaves, Holly <greaves.holly@epa.gov>                 | Required   |
| Sugiyama, George <sugiyama.george@epa.gov>             | Required   |
| Bangerter, Layne <bangerter.layne@epa.gov>             | Required   |
| Schwab, Justin <schwab.justin@epa.gov>                 | Required   |
| Munoz, Charles <munoz.charles@epa.gov>                 | Required   |
| Davis, Patrick <davis.patrick@epa.gov>                 | Required   |
| Kreutzer, David <kreutzer.david@epa.gov>               | Required   |
| Ericksen, Doug <ericksen.doug@epa.gov>                 | Required   |
| Keigwin, Richard <Keigwin.Richard@epa.gov>             | Optional   |
| Barone, Stan <Barone.Stan@epa.gov>                     | Optional   |

|                                        |          |
|----------------------------------------|----------|
| Morris, Jeff <Morris.Jeff@epa.gov>     | Optional |
| Mojica, Andrea <Mojica.andrea@epa.gov> | Optional |
| Wise, Louise <Wise.Louise@epa.gov>     | Optional |

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▲ **Time** 1:30 PM – 2:30 PM  
**Subject** Grants Discussion  
**Location** DCRoomARN3330/DC-AR-OARM  
**Show Time As** Tentative


| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Vizian, Donna <Vizian.Donna@epa.gov>       | Organizer         |
|                  | Showman, John <Showman.John@epa.gov>       | Required          |
|                  | Polk, Denise <Polk.Denise@epa.gov>         | Required          |
|                  | Bloom, David <Bloom.David@epa.gov>         | Required          |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Neal, Kerry <neal.kerry@epa.gov>           | Required          |
|                  | Osborne, Howard <Osborne.Howard@epa.gov>   | Optional          |
|                  | Cooper, Marian <Cooper.Marian@epa.gov>     | Optional          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Optional          |
|                  | Bell, Matthew <Bell.Matthew@epa.gov>       | Optional          |
|                  | DCROOMWJCN3330Q                            | Optional          |
|                  | <div>Conference Code/Ex. 6</div>           |                   |

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▲ **Time** 2:00 PM – 2:30 PM  
**Subject** Daily Check-in  
**Location** WJC-N 3412  
**Recurrence** Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Organizer         |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Benton, Donald <benton.donald@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |

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|                                                                                   |                     |                                                                             |
|-----------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------|
|  | <b>Time</b>         | 4:00 PM – 4:45 PM                                                           |
|                                                                                   | <b>Subject</b>      | Meeting with Beachhead Team                                                 |
|                                                                                   | <b>Location</b>     | WJC-N 3412                                                                  |
|                                                                                   | <b>Recurrence</b>   | Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM |
|                                                                                   | <b>Show Time As</b> | Tentative                                                                   |
|                                                                                   | <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                                                  |
|                                                                                   |                     | Benton, Donald <benton.donald@epa.gov>                                      |
|                                                                                   |                     | Schnare, David <schnare.david@epa.gov>                                      |
|                                                                                   |                     | Greaves, Holly <greaves.holly@epa.gov>                                      |
|                                                                                   |                     | Sugiyama, George <sugiyama.george@epa.gov>                                  |
|                                                                                   |                     | Bangerter, Layne <bangerter.layne@epa.gov>                                  |
|                                                                                   |                     | Schwab, Justin <schwab.justin@epa.gov>                                      |
|                                                                                   |                     | Munoz, Charles <munoz.charles@epa.gov>                                      |
|                                                                                   |                     | Davis, Patrick <davis.patrick@epa.gov>                                      |
|                                                                                   |                     | Kreutzer, David <kreutzer.david@epa.gov>                                    |
|                                                                                   |                     | Ericksen, Doug <ericksen.doug@epa.gov>                                      |
|                                                                                   |                     | Konkus, John <konkus.john@epa.gov>                                          |

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**Thursday, January 26, 2017**

▲ **Time** 1:00 PM – 1:45 PM  
**Subject** Briefing with Office of Air and Radiation (OAR)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
 SCt: Denise Anderson, 564-1782

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Dunham, Sarah <Dunham.Sarah@epa.gov>         | Required          |
|                  | Shaw, Betsy <Shaw.Betsy@epa.gov>             | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |

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▲ **Time** 2:00 PM – 2:30 PM  
**Subject** Daily Check-in  
**Location** WJC-N 3412  
**Recurrence** Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Organizer         |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Benton, Donald <benton.donald@epa.gov>       | Required          |

Munoz, Charles <munoz.charles@epa.gov> Required

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▲ **Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

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## Friday, January 27, 2017

▲ **Time** 11:00 AM – 11:45 AM  
**Subject** Briefing with Office of Enforcement and Compliance Assurance (OECA)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
SCT: Denise Anderson, 564-1782



| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                       | <b>Attendance</b> |
|------------------|--------------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>           | Organizer         |
|                  | Starfield, Lawrence <Starfield.Lawrence@epa.gov> | Required          |
|                  | Cozad, David <Cozad.David@epa.gov>               | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov>     | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>                 | Required          |
|                  | Schnare, David <schnare.david@epa.gov>           | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>           | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>       | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>       | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>           | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>           | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>           | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>         | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>           | Required          |
|                  | Hautamaki, Jared <Hautamaki.Jared@epa.gov>       | Optional          |



|                     |                                                                                                                          |                   |
|---------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Time</b>         | 2:00 PM – 2:30 PM                                                                                                        |                   |
| <b>Subject</b>      | Daily Check-in                                                                                                           |                   |
| <b>Location</b>     | WJC-N 3412                                                                                                               |                   |
| <b>Recurrence</b>   | Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM |                   |
| <b>Show Time As</b> | Tentative                                                                                                                |                   |
| <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                                                                                               | <b>Attendance</b> |
|                     | Mccabe, Catherine <McCabe.Catherine@epa.gov>                                                                             | Organizer         |
|                     | Flynn, Mike <Flynn.Mike@epa.gov>                                                                                         | Required          |
|                     | Ericksen, Doug <ericksen.doug@epa.gov>                                                                                   | Required          |
|                     | Schnare, David <schnare.david@epa.gov>                                                                                   | Required          |
|                     | Benton, Donald <benton.donald@epa.gov>                                                                                   | Required          |
|                     | Munoz, Charles <munoz.charles@epa.gov>                                                                                   | Required          |

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▲ **Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

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**Saturday, January 28, 2017**

▲ **Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

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**Sunday, January 29, 2017**

|                                                                                     |                                            |                                                                             |
|-------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------|
|  | <b>Time</b>                                | 4:00 PM – 4:45 PM                                                           |
|                                                                                     | <b>Subject</b>                             | Meeting with Beachhead Team                                                 |
|                                                                                     | <b>Location</b>                            | WJC-N 3412                                                                  |
|                                                                                     | <b>Recurrence</b>                          | Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM |
|                                                                                     | <b>Show Time As</b>                        | Tentative                                                                   |
|                                                                                     | <b>Attendees</b>                           |                                                                             |
|                                                                                     | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b>                                                           |
|                                                                                     | Benton, Donald <benton.donald@epa.gov>     | Organizer                                                                   |
|                                                                                     | Schnare, David <schnare.david@epa.gov>     | Required                                                                    |
|                                                                                     | Greaves, Holly <greaves.holly@epa.gov>     | Required                                                                    |
|                                                                                     | Sugiyama, George <sugiyama.george@epa.gov> | Required                                                                    |
|                                                                                     | Bangerter, Layne <bangerter.layne@epa.gov> | Required                                                                    |
|                                                                                     | Schwab, Justin <schwab.justin@epa.gov>     | Required                                                                    |
|                                                                                     | Munoz, Charles <munoz.charles@epa.gov>     | Required                                                                    |
|                                                                                     | Davis, Patrick <davis.patrick@epa.gov>     | Required                                                                    |

|                                          |          |
|------------------------------------------|----------|
| Kreutzer, David <kreutzer.david@epa.gov> | Required |
| Ericksen, Doug <ericksen.doug@epa.gov>   | Required |
| Konkus, John <konkus.john@epa.gov>       | Required |

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## Monday, January 30, 2017

▲ **Time** 10:00 AM – 10:45 AM  
**Subject** Briefing with Office of Chief Financial Officer (OCFO)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
SCt: Denise Anderson, 564-1782

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Bloom, David <Bloom.David@epa.gov>           | Required          |
|                  | Osborne, Howard <Osborne.Howard@epa.gov>     | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |

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▲ **Time** 11:00 AM – 12:00 PM  
**Subject** Climate Comm. Plan

**Location** 3402 WJC-N

**Show Time As** Busy

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>               | <b>Attendance</b> |
|------------------|------------------------------------------|-------------------|
|                  | Schnare, David <schnare.david@epa.gov>   | Organizer         |
|                  | Benton, Donald <benton.donald@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>   | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov> | Required          |

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**Time** 1:00 PM – 2:00 PM

**Subject** Senior Staff Meeting

**Location** Alm Conference Room

**Show Time As** Busy

SCT: Denise Anderson, 202-564-1782

NOTE: Due to space constraints, please contact Denise Anderson before forwarding or inviting additional meeting attendees.

Conference Call Number Conference Code/Ex. 6  
 Conference Code Conference Code/Ex. 6

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                                       | <b>Attendance</b> |
|------------------|------------------------------------------------------------------|-------------------|
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov>                     | Organizer         |
|                  | Benton, Donald <benton.donald@epa.gov>                           | Required          |
|                  | Schnare, David <schnare.david@epa.gov>                           | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>                           | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>                       | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>                       | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>                           | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>                           | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>                           | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>                         | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>                           | Required          |
|                  | 2017HQfirstassistants <2017HQfirstassistants@epa.gov>            | Required          |
|                  | 2017Regionfirstassistants<br><2017Regionfirstassistants@epa.gov> | Required          |

|                                                            |          |
|------------------------------------------------------------|----------|
| Kling, David <Kling.Dave@epa.gov>                          | Required |
| Brennan, Thomas <Brennan.Thomas@epa.gov>                   | Required |
| Elkins, Arthur <Elkins.Arthur@epa.gov>                     | Required |
| Allen, Reginald <Allen.Reginald@epa.gov>                   | Required |
| Etzel, Ruth <Etzel.Ruth@epa.gov>                           | Required |
| Zarba, Christopher <Zarba.Christopher@epa.gov>             | Required |
| Lawrence, Tanya <Lawrence.Tanya@epa.gov>                   | Required |
| Benjamin-Sirmons, Denise <Benjamin-Sirmons.Denise@epa.gov> | Required |
| Hope, Brian <Hope.Brian@epa.gov>                           | Required |
| Knapp, Kristien <Knapp.Kristien@epa.gov>                   | Required |
| Hautamaki, Jared <Hautamaki.Jared@epa.gov>                 | Required |
| Threet, Derek <Threet.Derek@epa.gov>                       | Required |
| Burden, Susan <Burden.Susan@epa.gov>                       | Required |
| Naples, Eileen <Naples.Eileen@epa.gov>                     | Required |
| EPAVTC <Personal Email/Ex. 6>                              | Optional |
| Slotkin, Ron <slotkin.ron@epa.gov>                         | Optional |



**Time** 2:00 PM – 2:30 PM  
**Subject** Daily Check-in  
**Location** WJC-N 3412  
**Recurrence** Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM  
**Show Time As** Tentative

| Attendees | Name <E-mail>                                | Attendance |
|-----------|----------------------------------------------|------------|
|           | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Organizer  |
|           | Flynn, Mike <Flynn.Mike@epa.gov>             | Required   |
|           | Ericksen, Doug <ericksen.doug@epa.gov>       | Required   |
|           | Schnare, David <schnare.david@epa.gov>       | Required   |
|           | Benton, Donald <benton.donald@epa.gov>       | Required   |
|           | Munoz, Charles <munoz.charles@epa.gov>       | Required   |

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▲ **Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

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**Tuesday, January 31, 2017**

▲ **Time** 10:00 AM – 10:45 AM  
**Subject** Briefing with Office of Land and Emergency Management (OLEM)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
<objattph://>  
SCt: Denise Anderson, 564-1782

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Breen, Barry <Breen.Barry@epa.gov>           | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Simon, Nigel <Simon.Nigel@epa.gov>           | Required          |
|                  | Benjamin, Kent <Benjamin.Kent@epa.gov>       | Required          |
|                  | Harwood, Jackie <Harwood.Jackie@epa.gov>     | Required          |
|                  | Lowery, Brigid <Lowery.Brigid@epa.gov>       | Required          |
|                  | Konkus, John <konkus.john@epa.gov>           | Required          |
|                  | Naples, Eileen <Naples.Eileen@epa.gov>       | Optional          |



**Time** 11:00 AM – 11:45 AM  
**Subject** Briefing for Office of Administration and Resources Management  
**Location** Alm Conference Room  
**Show Time As** Tentative  
 <objattph://>  
 SCT: Denise Anderson, 564-1782



| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Vizian, Donna <Vizian.Donna@epa.gov>         | Required          |
|                  | Showman, John <Showman.John@epa.gov>         | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Konkus, John <konkus.john@epa.gov>           | Required          |
|                  | Naples, Eileen <Naples.Eileen@epa.gov>       | Optional          |



|                     |                                                                                                                          |                   |  |
|---------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------|--|
| <b>Time</b>         | 2:00 PM – 2:30 PM                                                                                                        |                   |  |
| <b>Subject</b>      | Daily Check-in                                                                                                           |                   |  |
| <b>Location</b>     | WJC-N 3412                                                                                                               |                   |  |
| <b>Recurrence</b>   | Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM |                   |  |
| <b>Show Time As</b> | Tentative                                                                                                                |                   |  |
| <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                                                                                               | <b>Attendance</b> |  |
|                     | Mccabe, Catherine <McCabe.Catherine@epa.gov>                                                                             | Organizer         |  |
|                     | Flynn, Mike <Flynn.Mike@epa.gov>                                                                                         | Required          |  |
|                     | Ericksen, Doug <ericksen.doug@epa.gov>                                                                                   | Required          |  |
|                     | Schnare, David <schnare.david@epa.gov>                                                                                   | Required          |  |
|                     | Benton, Donald <benton.donald@epa.gov>                                                                                   | Required          |  |
|                     | Munoz, Charles <munoz.charles@epa.gov>                                                                                   | Required          |  |



**Time** 2:30 PM – 3:30 PM  
**Subject** FW: PADs/Comm Directors Weekly Meeting  
**Location** 2530 WJC-North ; Call in number  passcode   
**Recurrence** Occurs every Tuesday effective 1/10/2017 until 1/31/2017 from 2:30 PM to 3:30 PM  
**Show Time As** Tentative

John and Doug,  
I'm forwarding the calendar invite for our regular Tuesday mtg/call with Headquarters Communications Directors and Regional Public Affairs Directors. I believe that Nancy mentioned it to you. Hope you can join us at 2:30 pm. Thanks, George

-----Original Appointment-----

From: Hull, George

Sent: Tuesday, August 09, 2016 2:04 PM

To: Hull, George; PADs and Alternates; Comm Directors and Alternates; AO OPA Media Relations; Peterson, John; Zito, Kelly; Ragland, Micah; Deitz, Randy; Nowotarski, Allison; Kadeli, Annie; Brees, Angela; Abercrombie, Almethyist; Sharpe, Kristinn; Brown, Margot; Rowan, Anne

Cc: Lincoln, Larry; Daguiard, Robert; Jones, Enesta; Philip, Jeff; Jones, Celeste; Milbourn, Cathy; Benenati, Frank; Dennis, Allison; Kandil, Shereen; Gutro, Doug; Holsman, Marianne; Saddler, Melissa; White, Terri-A; Kelty, Diane; Fraser, Scott; D'Andrea, Michael; Marraccini, Davina; McMichael, Nate; Jenkins, Laura Flynn; Kelley, Jeff; Valentine, Julia; Deegan, Dave; Smith, Paula; Abrams, Dan; Cohen, Nancy; Kent, Alison; Conger, Nick; Enobakhare, Rosemary; Hubbard, Carolyn; Juarez, MariaElena; Senn, John; McGowan, Michael; Loop, Travis; Maguire, Megan; Pinkney, James; Gibbons, Dayna; Orquina, Jessica; schafers, joan; Germann, Sandy; Amorosi, Joanne; Harrison, Melissa; Dunton, Cheryl; McClain-Vanderpool, Lisa; Kargbo, Marcia; Moritz, Brigitte; Taheri, Diane; Grantham, Nancy; Millett, John; Lynn, Tricia; Slotkin, Ron; Mutter, Andrew; StClair, Christie; Hart, Daniel; Vuong, Stephanie; Drinkard, Andrea; Carroll, Carly; Widener, Charles (Chuck); Coviello, Nancy; Reiter, Lisa; Emily Selia (Selia.Emily@epa.gov

<mailto:Selia.Emily@epa.gov> ); Ng, Brian; Cox, Andrew;

McGillicuddy, Mary; Martin, JohnT; Fortin, Denise; Eileen Deamer; Ronna Beckmann; Karen Reshkin - EPA; Richardson, RobinH

Subject: PADs/Comm Directors Weekly Meeting

When: Occurs every Tuesday effective 8/9/2016 from 2:30 PM to 3:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: 2530 WJC-North ; Call in number  passcode

**Attendees** Name <E-mail>

Hull, George <Hull.George@epa.gov>

Konkus, John <konkus.john@epa.gov>

**Attendance**  
Organizer

Required

|                                                                          |          |
|--------------------------------------------------------------------------|----------|
| Ericksen, Doug <ericksen.doug@epa.gov>                                   | Required |
| PADs and Alternates <PADs_and_Alternates@epa.gov>                        | Required |
| Comm Directors and Alternates<br><Comm_Directors_and_Alternates@epa.gov> | Required |
| AO OPA Media Relations<br><AO_OPA_Media_Relations@epa.gov>               | Required |
| Peterson, John <peterjohn@epa.gov>                                       | Required |
| Zito, Kelly <ZITO.KELLY@EPA.GOV>                                         | Required |
| Ragland, Micah <Ragland.Micah@epa.gov>                                   | Required |
| Deitz, Randy <Deitz.Randy@epa.gov>                                       | Required |
| Nowotarski, Allison <nowotarski.allison@epa.gov>                         | Required |
| Kadeli, Annie <Kadeli.Annie@epa.gov>                                     | Required |
| Brees, Angela <Brees.Angela@epa.gov>                                     | Required |
| Abercrombie, Almethyist<br><Abercrombie.Almethyist@epa.gov>              | Required |
| Sharpe, Kristinn <Sharpe.Kristinn@epa.gov>                               | Required |
| Lincoln, Larry <Lincoln.Larry@epa.gov>                                   | Optional |
| Daguillard, Robert <Daguillard.Robert@epa.gov>                           | Optional |
| Jones, Enesta <Jones.Enesta@epa.gov>                                     | Optional |
| Philip, Jeff <Philip.Jeff@epa.gov>                                       | Optional |
| Jones, Celeste <Jones.Celeste@epa.gov>                                   | Optional |
| Milbourn, Cathy <Milbourn.Cathy@epa.gov>                                 | Optional |
| Benenati, Frank <benenati.frank@epa.gov>                                 | Optional |
| Dennis, Allison <Dennis.Allison@epa.gov>                                 | Optional |
| Kandil, Shereen <Kandil.Shereen@epa.gov>                                 | Optional |
| Gutro, Doug <Gutro.Doug@epa.gov>                                         | Optional |
| Holsman, Marianne <Holsman.Marianne@epa.gov>                             | Optional |
| Saddler, Melissa <Saddler.Melissa@epa.gov>                               | Optional |
| White, Terri-A <White.Terri-A@epa.gov>                                   | Optional |

|                                                    |          |
|----------------------------------------------------|----------|
| Kelty, Diane <Kelty.Diane@epa.gov>                 | Optional |
| Fraser, Scott <Fraser.Scott@epa.gov>               | Optional |
| D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>        | Optional |
| Marraccini, Davina <Marraccini.Davina@epa.gov>     | Optional |
| McMichael, Nate <McMichael.Nate@epa.gov>           | Optional |
| Jenkins, Laura Flynn <Jenkins.Laura@epa.gov>       | Optional |
| Kelley, Jeff <kelley.jeff@epa.gov>                 | Optional |
| Valentine, Julia <Valentine.Julia@epa.gov>         | Optional |
| Deegan, Dave <Deegan.Dave@epa.gov>                 | Optional |
| Smith, Paula <Smith.Paula@epa.gov>                 | Optional |
| Abrams, Dan <Abrams.Dan@epa.gov>                   | Optional |
| Cohen, Nancy <Cohen.Nancy@epa.gov>                 | Optional |
| Kent, Alison <kent.alison@epa.gov>                 | Optional |
| Conger, Nick <Conger.Nick@epa.gov>                 | Optional |
| Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov> | Optional |
| Hubbard, Carolyn <Hubbard.Carolyn@epa.gov>         | Optional |
| Juarez, MariaElena <Juarez.MariaElena@epa.gov>     | Optional |
| Senn, John <Senn.John@epa.gov>                     | Optional |
| McGowan, Michael <McGowan.Michael@epa.gov>         | Optional |
| Loop, Travis <Loop.Travis@epa.gov>                 | Optional |
| Maguire, Megan <Maguire.Megan@epa.gov>             | Optional |
| Pinkney, James <Pinkney.James@epa.gov>             | Optional |
| Gibbons, Dayna <Gibbons.Dayna@epa.gov>             | Optional |
| Orquina, Jessica <Orquina.Jessica@epa.gov>         | Optional |
| schafer, joan <schafer.joan@epa.gov>               | Optional |
| Germann, Sandy <Germann.Sandy@epa.gov>             | Optional |
| Amorosi, Joanne <Amorosi.Joanne@epa.gov>           | Optional |
| Harrison, Melissa <Harrison.Melissa@epa.gov>       | Optional |

|                                                            |          |
|------------------------------------------------------------|----------|
| Dunton, Cheryl <Dunton.Cheryl@epa.gov>                     | Optional |
| McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov> | Optional |
| Kargbo, Marcia <Kargbo.Marcia@epa.gov>                     | Optional |
| Moritz, Brigitte <Moritz.Brigette@epa.gov>                 | Optional |
| Taheri, Diane <Taheri.Diane@epa.gov>                       | Optional |
| Grantham, Nancy <Grantham.Nancy@epa.gov>                   | Optional |
| Millett, John <Millett.John@epa.gov>                       | Optional |
| Lynn, Tricia <lynn.tricia@epa.gov>                         | Optional |
| Slotkin, Ron <slotkin.ron@epa.gov>                         | Optional |
| Mutter, Andrew <mutter.andrew@epa.gov>                     | Optional |
| StClair, Christie <StClair.Christie@epa.gov>               | Optional |
| Hart, Daniel <Hart.Daniel@epa.gov>                         | Optional |
| Vuong, Stephanie <Vuong.Stephanie@epa.gov>                 | Optional |
| Drinkard, Andrea <Drinkard.Andrea@epa.gov>                 | Optional |
| Carroll, Carly <Carroll.Carly@epa.gov>                     | Optional |
| Widener, Charles (Chuck) <Widener.Charles@epa.gov>         | Optional |
| Coviello, Nancy <Coviello.Nancy@epa.gov>                   | Optional |
| Reiter, Lisa <Reiter.Lisa@epa.gov>                         | Optional |
| Emily Selia (Selia.Emily@epa.gov)<br><Selia.Emily@epa.gov> | Optional |
| Ng, Brian <Ng.Brian@epa.gov>                               | Optional |
| Brown, Margot <Brown.Margot@epa.gov>                       | Required |
| Cox, Andrew <Cox.Andrew@epa.gov>                           | Optional |
| McGillicuddy, Mary <mcgillicuddy.mary@epa.gov>             | Optional |
| Martin, JohnT <martin.johnt@epa.gov>                       | Optional |
| Rowan, Anne <rowan.anne@epa.gov>                           | Required |
| Fortin, Denise <Fortin.Denise@epa.gov>                     | Optional |

|                                                |          |
|------------------------------------------------|----------|
| Eileen Deamer <Deamer.Eileen@epa.gov>          | Optional |
| Ronna Beckmann <Beckmann.Ronna@epa.gov>        | Optional |
| Karen Reshkin - EPA <Reshkin.Karen@epa.gov>    | Optional |
| Richardson, RobinH <Richardson.RobinH@epa.gov> | Optional |

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▲ **Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412  
**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

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**Wednesday, February 1, 2017**

▲ **Time** 10:00 AM – 10:45 AM  
**Subject** Briefing with Office of Environmental Information (OEI)  
**Location** Alm Conference Room  
**Show Time As** Tentative

<objattph://>  
 SCt: Denise Anderson, 564-1782

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Fine, Steven <fine.steven@epa.gov>           | Required          |
|                  | Simon, Harvey <Simon.Harvey@epa.gov>         | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Konkus, John <konkus.john@epa.gov>           | Required          |

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▲ **Time** 11:00 AM – 12:00 PM  
**Subject** Benefit Briefing  
**Location** 3412 WJC-N  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Organizer         |
|                  | Benton, Donald <benton.donald@epa.gov>     | Required          |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |

|                                                  |          |
|--------------------------------------------------|----------|
| Davis, Patrick <davis.patrick@epa.gov>           | Required |
| Kreutzer, David <kreutzer.david@epa.gov>         | Required |
| Ericksen, Doug <ericksen.doug@epa.gov>           | Required |
| Higginbotham, Karen <Higginbotham.Karen@epa.gov> | Required |
| Barnett, Howard <Barnett.Howard@epa.gov>         | Required |

---

▲ **Time** 2:00 PM – 2:30 PM  
**Subject** Daily Check-in  
**Location** WJC-N 3412  
**Recurrence** Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | McCabe, Catherine <McCabe.Catherine@epa.gov> | Organizer         |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Benton, Donald <benton.donald@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |

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▲ **Time** 3:30 PM – 4:30 PM  
**Subject** Information Law Briefing - (teleconference Conference Code/Ex. 6 passcode:  
Conference Code/Ex. 6)  
**Location** Alm Conference Room  
**Show Time As** Tentative  
SCt: Denise Anderson, 202-564-1782



| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Organizer         |
|                  | Minoli, Kevin <Minoli.Kevin@epa.gov>         | Required          |
|                  | Blake, Wendy <Blake.Wendy@epa.gov>           | Required          |
|                  | Benton, Donald <benton.donald@epa.gov>       | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Connors, Sandra <Connors.Sandra@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>           | Required          |
|                  | Rodgers, Ryan <Rodgers.Ryan@epa.gov>         | Required          |
|                  | Slotkin, Ron <slotkin.ron@epa.gov>           | Required          |
|                  | Veney, Carla <Veney.Carla@epa.gov>           | Optional          |
|                  | Jones, Gail-R <Jones.Gail-R@epa.gov>         | Optional          |
|                  | Hautamaki, Jared <Hautamaki.Jared@epa.gov>   | Optional          |
|                  | Hammitt, Jennifer <Hammitt.Jennifer@epa.gov> | Optional          |
|                  | Miller, Kevin <Miller.Kevin@epa.gov>         | Optional          |



**Time** 4:00 PM – 4:45 PM  
**Subject** Meeting with Beachhead Team  
**Location** WJC-N 3412

**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM

**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

---

**Thursday, February 2, 2017**

▲ **Time** 10:00 AM – 10:45 AM

**Subject** Briefing for Office of International and Tribal Affairs (OITA)

**Location** Alm Conference Room

**Show Time As** Tentative

SCt: Denise Anderson, 564-1782

<objattph://>

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                   | <b>Attendance</b> |
|------------------|----------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>       | Organizer         |
|                  | Nishida, Jane <Nishida.Jane@epa.gov>         | Required          |
|                  | Hill, Randy <Hill.Randy@epa.gov>             | Required          |
|                  | Flynn, Mike <Flynn.Mike@epa.gov>             | Required          |
|                  | Mccabe, Catherine <McCabe.Catherine@epa.gov> | Required          |
|                  | Schnare, David <schnare.david@epa.gov>       | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>       | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov>   | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov>   | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>       | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>       | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>       | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>     | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>       | Required          |
|                  | Konkus, John <konkus.john@epa.gov>           | Required          |
|                  | Smith, Walker <Smith.Walker@epa.gov>         | Required          |
|                  | Wright, Felicia <Wright.Felicia@epa.gov>     | Required          |
|                  | Kasman, Mark <Kasman.Mark@epa.gov>           | Required          |
|                  | Lee, Pascale <Lee.Pascale@epa.gov>           | Optional          |
|                  | Stewart, Lakita <Stewart.Lakita@epa.gov>     | Optional          |




**Time** 11:00 AM – 12:00 PM  
**Subject** Records Management (please bring your laptop and do not logout)  
**Location** 3530 WJC-N  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Organizer         |
|                  | Hope, Brian <Hope.Brian@epa.gov>           | Required          |
|                  | Ferris, Lena <Ferris.Lena@epa.gov>         | Required          |
|                  | Benton, Donald <benton.donald@epa.gov>     | Required          |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |

▲

|                     |                                                                                                                          |                   |
|---------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Time</b>         | 2:00 PM – 2:30 PM                                                                                                        |                   |
| <b>Subject</b>      | Daily Check-in                                                                                                           |                   |
| <b>Location</b>     | WJC-N 3412                                                                                                               |                   |
| <b>Recurrence</b>   | Occurs every Monday, Tuesday, Wednesday, Thursday, and Friday effective 1/24/2017 until 2/2/2017 from 2:00 PM to 2:30 PM |                   |
| <b>Show Time As</b> | Tentative                                                                                                                |                   |
| <b>Attendees</b>    | <b>Name &lt;E-mail&gt;</b>                                                                                               | <b>Attendance</b> |
|                     | Mccabe, Catherine <McCabe.Catherine@epa.gov>                                                                             | Organizer         |
|                     | Flynn, Mike <Flynn.Mike@epa.gov>                                                                                         | Required          |
|                     | Ericksen, Doug <ericksen.doug@epa.gov>                                                                                   | Required          |
|                     | Schnare, David <schnare.david@epa.gov>                                                                                   | Required          |
|                     | Benton, Donald <benton.donald@epa.gov>                                                                                   | Required          |
|                     | Munoz, Charles <munoz.charles@epa.gov>                                                                                   | Required          |

|                                                                                     |                 |                             |
|-------------------------------------------------------------------------------------|-----------------|-----------------------------|
|  | <b>Time</b>     | 4:00 PM – 4:45 PM           |
|                                                                                     | <b>Subject</b>  | Meeting with Beachhead Team |
|                                                                                     | <b>Location</b> | WJC-N 3412                  |

**Recurrence** Occurs every day effective 1/23/2017 until 2/2/2017 from 4:00 PM to 4:45 PM  
**Show Time As** Tentative

| <b>Attendees</b> | <b>Name &lt;E-mail&gt;</b>                 | <b>Attendance</b> |
|------------------|--------------------------------------------|-------------------|
|                  | Benton, Donald <benton.donald@epa.gov>     | Organizer         |
|                  | Schnare, David <schnare.david@epa.gov>     | Required          |
|                  | Greaves, Holly <greaves.holly@epa.gov>     | Required          |
|                  | Sugiyama, George <sugiyama.george@epa.gov> | Required          |
|                  | Bangerter, Layne <bangerter.layne@epa.gov> | Required          |
|                  | Schwab, Justin <schwab.justin@epa.gov>     | Required          |
|                  | Munoz, Charles <munoz.charles@epa.gov>     | Required          |
|                  | Davis, Patrick <davis.patrick@epa.gov>     | Required          |
|                  | Kreutzer, David <kreutzer.david@epa.gov>   | Required          |
|                  | Ericksen, Doug <ericksen.doug@epa.gov>     | Required          |
|                  | Konkus, John <konkus.john@epa.gov>         | Required          |

---

**16011104T020000**

**PRODID**

-//Microsoft Corporation//Outlook 16.0 MIMEDIR//EN

**Version**

2.0

**METHOD**

PUBLISH

**X-CALSTART**

20170110T193000Z

**X-CALEND**

20170202T214500Z

**X-CLIPSTART**

20170109T050000Z

**X-CLIPEND**

20170203T050000Z

**X-WR-RELCALID**

{0000002E-5E91-399D-1687-C7BE28F52495}

**X-WR-CALNAME**

Ericksen, Doug

**X-PRIMARY-CALENDAR**

TRUE

**X-OWNER** ( CN="Ericksen, Doug" )

mailto:ericksen.doug@epa.gov

**X-MS-OLK-WKHRSTART** ( TZID="Customized Time Zone" )

080000

**X-MS-OLK-WKHREND** ( TZID="Customized Time Zone" )

170000

**X-MS-OLK-WKHRDAYS**

MO,TU,WE,TH,FR

**TZID**

Customized Time Zone

**Start Date/Time**

16011104T020000

**Recurrence Rule**

FREQ=YEARLY;BYDAY=1SU;BYMONTH=11

**TZOFFSETFROM**

-0400

TZOFFSETTO  
-0500

**16010311T020000**

**Start Date/Time**

16010311T020000

**Recurrence Rule**

FREQ=YEARLY;BYDAY=2SU;BYMONTH=3

**TZOFFSETFROM**

-0500

**TZOFFSETTO**

-0400



# Bagels with Beach Head Team - Principals/Invitees On ly Administrator's Office 20170123T100000

Attendee mailto:Dunham.Sarah @epa.gov  
RSVP TRUE

Attendee mailto:Richardson.RobinH@epa.gov  
RSVP TRUE

Attendee mailto:Reeder.John@epa.gov  
RSVP TRUE

Attendee mailto:Hull.George@epa.gov  
RSVP TRUE

Attendee mailto:fine.steven@e pa.gov  
RSVP TRUE

Attendee mailto:Breen.Barry@epa.gov  
RSVP TRUE

Attendee mailto:Bloom.David@e pa.gov  
RSVP TRUE

Attendee mailto:Cle land-Hamnett.Wendy@epa.gov  
RSVP TRUE

Attendee mailto:Shapiro.Mike @epa.gov  
RSVP TRUE

Attendee mailto:Kavlock.Ro bert@epa.gov  
RSVP TRUE

Attendee mailto:Minoli.Kevin @epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa .gov  
RSVP TRUE

Attendee mailto:Nishida.Jane @epa.gov  
RSVP TRUE

Attendee mailto:Vizian.Donna @epa.gov  
RSVP TRUE

Attendee mailto:McCabe.C atherine@epa.gov  
RSVP TRUE

Attendee mailto:Starfi eld.Lawrence@epa.gov  
RSVP TRUE

Attendee mailto:benton.donald@epa.gov

RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.douglas@epa.gov  
RSVP TRUE

Attendee mailto:Grantha m.Nancy@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170123T132846Z

Description

End Date/Time  
20170123T110000

DTSTAMP  
20170122T224658Z

Start Date/Time  
20170123T100000

Last Modified  
20170123T173811Z

**Location**

Administrator's Office

**ORGANIZER** ( CN="Kenny, Shannon" )  
mailto:Kenny.Shannon@epa.gov

**Priority**

5

**Sequence Number**

2

**Summary**

Bagels with Beach Head Team - Principals/Invitees On ly

**Time Transparency**

OPAQUE

**UID**

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</HEAD>  
<BODY>  
<!-- Converted from text/plain format -->  
  
<P><A NAME=""></A>  
</P>  
  
</BODY>  
</HTML>

**X-MICROSOFT-CDO-BUSYSTATUS**

BUSY

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MS-OLK-APPTSEQTIME**

20170122T035439Z

# Meeting with Beachhead Team

## WJC-N 3412

### 20170123T160000

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:konkus.john@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170123T223046Z

Description

End Date/Time  
20170123T164500

DTSTAMP  
20170123T223042Z

Start Date/Time  
20170123T160000

**Last Modified**

20170214T142510Z

**Location**

WJC-N 3412

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Recurrence Rule**

FREQ=DAILY;COUNT=11

**Sequence Number**

0

**Summary**

Meeting with Beachhead Team

**Time Transparency**

OPAQUE

**UID**

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010000000A0E35B710995E34CBB3B3FF619A57741

**X-ALT-DESC** ( FMTTYPE=text/html )

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<!-- converted from rtf --><style><!-- .Email !Quote { margin-left: 1pt; padding-left: 4pt; border-left:  
#800000 2px solid; } --></style>  
</head>  
<body>  
<font face="Calibri" size="2"><span style="font-size:11pt;">  
<div>&nbsp;</div>  
<div>&nbsp;</div>  
</span ></font>  
</body>  
</html>

**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**TRIGGER**

-PT15M

**ACTION**

DISPLAY

**Description**

Reminder

**FW: Grants Update Discussion  
DCROOMWJCN3330Q  
20170124T153000**

**Attendee** mailto:Showman.John@epa.gov  
RSVP TRUE

**Attendee** mailto:greaves.holly@epa.gov  
RSVP TRUE

**Attendee** mailto:Polk.Denise@epa.gov  
RSVP TRUE

**Attendee** mailto:Cooper.Marian@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:bangerter.layne@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Gantt.Melissa@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Binder.Bruce@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:schnare.david@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:ericksen.doug@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**  
20170124T163713Z

**Description**

-----Original Appointment-----

From: Vizian, Donna \nSent: Tuesday, January 24, 2017 7:16 AM  
To: Vizian, Donna; Showman, John; Greaves, Holly; Polk, Denise  
Cc: Cooper, Marian; Bangerter, Layne; Gantt, Melissa; Binder, Bruce; Schnare, David  
Subject: Grants Update Discussion

When: Tuesday, January 24, 2017 3:30 PM-4:00 PM ( UTC-05:00) Eastern Time (US & Canada).  
Where: DCROOMWJCN3330Q

\n

**End Date/Time**

20170124T160000

**DTSTAMP**

20170124T121548Z

**Start Date/Time**

20170124T153000

**Last Modified**

20170128T074011Z

**Location**

DCROOMWJCN3330Q

**ORGANIZER** ( CN="Vizian, Donna" )

mailto:Vizian.Donna@epa.gov

**Priority**

5

**Sequence Number**

3

**Summary**

FW: Grants Update Discussion

**Time Transparency**

OPAQUE

**UID**

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{font-family:"Cambria Math"}

@font-face

{font-family:Calibri}

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{color:#0563C1; text-decoration:underline}  
a:visited, span.MsoHyperlinkFollowed  
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text-decoration:underline}  
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margin-left:0in;  
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span.EmailStyle18  
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color:windowtext}  
span.EmailStyle19  
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<p class="MsoNormal">&nbsp;</p>  
<p class="MsoNormal">&nbsp;</p>  
<div>  
<p class="MsoNormal">- ----Original Appointment-----<br>  
<b>From:</b> Vizian, Donna <br>  
<b>Sent:</b> Tuesday, January 24, 2017 7:16 AM<br>  
<b>To:</b> Vizian, Donna \; Showman, John; Greaves, Holly; Polk, Denise<br>  
<b>Cc:</b> Cooper \, Marian; Bangerter, Layne; Gantt, Melissa; Binder, Bruce; Schnare \, David<br>  
<b>Subject:</b> Grants Update Discussion<br>  
<b>When:</b> Tuesday, January 24, 2017 3:30 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).<br>  
<b>Where:</b> DCROOMWJCN3330Q</p>  
</div>  
<p class="MsoNormal">&nbsp;</p>  
<p class="MsoNormal">&nbsp;</p>  
</div>  
</body>  
</html>

**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170123T205254Z

# Daily Check-in

## WJC-N 3412

### 20170124T140000

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:benton.donald@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T170731Z

Description

End Date/Time  
20170124T143000

DTSTAMP  
20170124T183620Z

Start Date/Time  
20170124T140000

Last Modified  
20170215T221124Z

Location  
WJC-N 3412

ORGANIZER ( CN="McCabe, Catherine" )  
mailto:McCabe.Catherine@epa.gov

Priority  
5

Recurrence Rule  
FREQ=WEEKLY;COUNT=8;BYDAY=MO,TU,WE,TH,FR

**Sequence Number**

1

**Summary**

Daily Check-in

**Time Transparency**

OPAQUE

**UID**

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<P DIR=LTR><SPAN LANG="en-us"></SPAN></P>  
  
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</HTML>

**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T170728Z

**TRIGGER**

-PT15M

**ACTION**

DISPLAY

**Description**

Reminder

# Briefing with Office of Chief Financial Officer (OCF O) Alm Conference Room 20170130T100000

Attendee mailto:Bloom.David@epa.gov  
RSVP TRUE

Attendee mailto:Osborne.Howard@epa.gov  
RSVP TRUE

Attendee mailto:McCabe.Catherine@epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T222343Z

Description  
SCt: Denise Anderson, 564-1782

**End Date/Time**

20170130T104500

**DTSTAMP**

20170124T222338Z

**Start Date/Time**

20170130T100000

**Last Modified**

20170130T144549Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

8

**Summary**

Briefing with Office of Chief Financial Officer (OCF O)

**Time Transparency**

OPAQUE

**UID**040000008200E00074C5B7101A82E00800000000804A99B48975D2010000000000000000  
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#800000 2px solid; } --></style>
</head>
<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
</span></font>
</body>
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```

**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T180931Z

# Briefing for Office of Administration and Resources Management

## Alm Conference Room

### 20170131T110000

|                 |                                        |
|-----------------|----------------------------------------|
| <u>Attendee</u> | <u>mailto:Vizian.Donna @epa.gov</u>    |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:Showman.John @epa.gov</u>    |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:Flynn.Mike@epa .gov</u>      |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:McCabe.Catherine@epa.gov</u> |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:schnare.dav id@epa.gov</u>   |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:greaves.hol ly@epa.gov</u>   |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:sugiyama.george@epa.gov</u>  |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:bangerter.layne@epa.gov</u>  |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:schwab.just in@epa.gov</u>   |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:munoz.charl es@epa.gov</u>   |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:davis.patrick@epa.gov</u>    |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:kreutzer.d avid@epa.gov</u>  |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:ericksen.doug@epa.gov</u>    |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:konkus.john@e pa.gov</u>     |
| RSVP            | TRUE                                   |
| <u>Attendee</u> | <u>mailto:Naples.Eileen@epa.gov</u>    |
| Role            | OPT-PARTICIPANT                        |
| RSVP            | TRUE                                   |

Categories  
PUBLIC



**CREATED**

20170124T222018Z

**Description**

<objattph://>

SCt: Denise Anderson, 564-1782

**End Date/Time**

20170131T114500

**DTSTAMP**

20170130T212540Z

**Start Date/Time**

20170131T110000

**Last Modified**

20170206T141828Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

5

**Summary**

Briefing for Office of Administration and Resources Management

**Time Transparency**

OPAQUE

**UID**

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<body>

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<div> </div>

<div>SCt: Denise Anderson, 564-1782</div>

<div>&nbsp;</div>  
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20170125T200058Z

**Briefing with Office of Enforcement and Compliance Assurance (OECA)**  
**Alm Conference Room**  
**20170127T110000**

Attendee mailto:Starfi.eld.Lawrence@epa.gov  
RSVP TRUE

Attendee mailto:Cozad.David@epa.gov  
RSVP TRUE

Attendee mailto:McCabe.Catherine@epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangert.r.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:Hautamaki.Jared@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T221855Z

**Description**

SCt: Denise Anderson, 564-1782

**End Date/Time**

20170127T114500

**DTSTAMP**

20170124T221851Z

**Start Date/Time**

20170127T110000

**Last Modified**

20170128T074011Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

5

**Summary**

Briefing with Office of Enforcement and Compliance Assurance (OECA)

**Time Transparency**

OPAQUE

**UID**

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<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20170124T164526Z

# Grants Discussion

## DCRoomARN3330/DC-AR-OARM

### 20170125T133000

Attendee mailto:Showman.John@epa.gov  
RSVP TRUE

Attendee mailto:Polk.Denise@epa.gov  
RSVP TRUE

Attendee mailto:Bloom.David@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:neal.kerry@epa.gov  
RSVP TRUE

Attendee mailto:Osborne.Howard@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:Cooper.Marian@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:Bell.Matthew@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:DCROOMWJC N3330Q@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T220953Z

Description

**End Date/Time**

20170125T143000

**DTSTAMP**

20170125T125939Z

**Start Date/Time**

20170125T133000

**Last Modified**

20170215T221126Z

**Location**

DCRoomARN3330/DC-AR-OARM

**ORGANIZER** ( CN="Vizian, Donna" )

mailto:Vizian.Donna@epa.gov

**Priority**

5

**Sequence Number**

2

**Summary**

Grants Discussion

**Time Transparency**

OPAQUE

**UID**

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</head>
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20170124T185816Z



**Budget matters**  
**4406 WJC-N**  
**20170125T123000**

**Attendee** mailto:Bloom.David@epa.gov  
RSVP TRUE

**Attendee** mailto:ericksen.doug@epa.gov  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**  
20170124T220938Z

**Description**  
David, I believe I have your office location correct. Please let me know if I do not, and I will update the calendar appointment. Thank s!

**End Date/Time**  
20170125T133000

**DTSTAMP**  
20170125T171247Z

**Start Date/Time**  
20170125T123000

**Last Modified**  
20170215T221127Z

**Location**  
4406 WJC-N

**ORGANIZER** ( CN="Greaves, Holly" )  
mailto:greaves.holly@epa.gov

**Priority**  
5

**Sequence Number**  
2

**Summary**  
Budget matters

**Time Transparency**  
OPAQUE

**UID**

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{color:#0563C1; \n text-decoration:underline}
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text-decoration:underline}
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<body lang="EN-US" link="#0563C1" vlink="#954F72">
<div class="WordSection1">
<p class="MsoNormal">David, I believe I have your office location correct. Please let me know if I do not,
and I will update the calendar appointment. Thanks!</p>
</div>
</body>
</html>
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**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T183303Z

# Briefing for Office of International and Tribal Affairs (OITA)

## Alm Conference Room

### 20170202T100000

|                 |                                                                                      |
|-----------------|--------------------------------------------------------------------------------------|
| <u>Attendee</u> | <u><a href="mailto:Nishida.Jane@epa.gov">mailto:Nishida.Jane@epa.gov</a></u>         |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:Hill.Randy@epa.gov">mailto:Hill.Randy@epa.gov</a></u>             |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:Flynn.Mike@epa.gov">mailto:Flynn.Mike@epa.gov</a></u>             |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:McCabe.Catherine@epa.gov">mailto:McCabe.Catherine@epa.gov</a></u> |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:schnare.david@epa.gov">mailto:schnare.david@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:greaves.holly@epa.gov">mailto:greaves.holly@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:sugiyama.george@epa.gov">mailto:sugiyama.george@epa.gov</a></u>   |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:bangerter.layne@epa.gov">mailto:bangerter.layne@epa.gov</a></u>   |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:schwab.justin@epa.gov">mailto:schwab.justin@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:munoz.charles@epa.gov">mailto:munoz.charles@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:davis.patrick@epa.gov">mailto:davis.patrick@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:kreutzer.david@epa.gov">mailto:kreutzer.david@epa.gov</a></u>     |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:ericksen.doug@epa.gov">mailto:ericksen.doug@epa.gov</a></u>       |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:konkus.john@epa.gov">mailto:konkus.john@epa.gov</a></u>           |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:Smith.Walker@epa.gov">mailto:Smith.Walker@epa.gov</a></u>         |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:Wright.Felicia@epa.gov">mailto:Wright.Felicia@epa.gov</a></u>     |
| <i>RSVP</i>     | TRUE                                                                                 |
| <u>Attendee</u> | <u><a href="mailto:Kasman.Mark@epa.gov">mailto:Kasman.Mark@epa.gov</a></u>           |

RSVP TRUE

**Attendee** mailto:Lee.Pascale@epa.gov

Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Stewart.Lakita@epa.gov

Role OPT-PARTICIPANT  
RSVP TRUE

**Categories**

PUBLIC

**CREATED**

20170124T220731Z

**Description**

SCt: Denise Anderson, 564-1782

<objattph://>

**End Date/Time**

20170202T104500

**DTSTAMP**

20170201T213808Z

**Start Date/Time**

20170202T100000

**Last Modified**

20170206T141829Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

6

**Summary**

Briefing for Office of International and Tribal Affairs (OITA)

**Time Transparency**

OPAQUE

**UID**

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</head>
<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
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<div>&nbsp;</div>  n</span></font>
</body>
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**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170125T205246Z

# Briefing with Office of Air and Radiation (OAR) Alm Conference Room 20170126T130000

Attendee mailto:Dunham.Sarah@epa.gov  
RSVP TRUE

Attendee mailto:Shaw.Betsy@epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:McCabe.Catherine@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T220559Z

Description  
SCt: Denise Anderson, 564-1782

**End Date/Time**

20170126T134500

**DTSTAMP**

20170124T220555Z

**Start Date/Time**

20170126T130000

### Last Modified

20170128T074011Z

### Location

## Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

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3

## Summary

Briefing with Office of Air and Radiation (OAR)

## Time Transparency

OPAQUE

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#800000 2px solid; } --></style>
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<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
</span></font>
</body>
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## X-MICROSOFT-CDO-BUSYSTATUS

TENTATIVE

## X-MICROSOFT-CDO-IMPORTANCE



1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T162446Z

# Briefing with Office of Environmental Information (O EI)

## Alm Conference Room

### 20170201T100000

Attendee mailto:fine.steven@epa.gov  
RSVP TRUE

Attendee mailto:Simon.Harvey@epa.gov  
RSVP TRUE

Attendee mailto:McCabe.Catherine@epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:konkus.john@epa.gov  
RSVP TRUE

Categories  
PUBLIC

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20170124T220050Z

Description

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SCt: Denise Anderson, 564-1782

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20170201T104500

**DTSTAMP**  
20170131T220049Z

**Start Date/Time**  
20170201T100000

**Last Modified**  
20170206T141829Z

**Location**  
Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )  
mailto:benton.donald@epa.gov

**Priority**  
5

**Sequence Number**  
8

**Summary**  
Briefing with Office of Environmental Information (O EI)

**Time Transparency**  
OPAQUE

**UID**  
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<body>  
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<div> </div>

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<div>Sct: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

X-MICROSOFT-CDO-IMPORTANCE  
1

X-MICROSOFT-DISALLOW-COUNTER  
FALSE

X-MS-OLK-APPTSEQTIME  
20170125T202218Z

**Briefing with Office of Land and Emergency Management  
(OLEM)  
Alm Conference Room  
20170131T100000**

Attendee <mailto:McCabe.Catherine@epa.gov>  
RSVP TRUE

Attendee <mailto:Flynn.Mike@epa.gov>  
RSVP TRUE

Attendee <mailto:Breen.Barry@epa.gov>  
RSVP TRUE

Attendee <mailto:schnare.david@epa.gov>  
RSVP TRUE

Attendee <mailto:greaves.holly@epa.gov>  
RSVP TRUE

Attendee <mailto:sugiyama.george@epa.gov>  
RSVP TRUE

Attendee <mailto:bangerter.layne@epa.gov>  
RSVP TRUE

Attendee <mailto:schwab.justin@epa.gov>  
RSVP TRUE

Attendee <mailto:munoz.charles@epa.gov>  
RSVP TRUE

Attendee <mailto:davis.patrick@epa.gov>  
RSVP TRUE

Attendee <mailto:kreutzer.david@epa.gov>  
RSVP TRUE

Attendee <mailto:ericksen.doug@epa.gov>  
RSVP TRUE

Attendee <mailto:Simon.Nigel@epa.gov>  
RSVP TRUE

Attendee <mailto:Benjamin.Kent@epa.gov>  
RSVP TRUE

Attendee <mailto:Harwood.Jackie@epa.gov>  
RSVP TRUE

Attendee <mailto:Lowery.Brigid@epa.gov>  
RSVP TRUE

**Attendee** mailto:konkus.john@epa.gov  
RSVP TRUE

**Attendee** mailto:Naples.Eileen@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**  
20170124T215928Z

**Description**  
<objattph://>

SCt: Denise Anderson, 564-1782

**End Date/Time**  
20170131T104500

**DTSTAMP**  
20170130T212457Z

**Start Date/Time**  
20170131T100000

**Last Modified**  
20170206T141829Z

**Location**  
Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )  
mailto:benton.donald@epa.gov

**Priority**  
5

**Sequence Number**  
9

**Summary**  
Briefing with Office of Land and Emergency Management (OLEM)

**Time Transparency**  
OPAQUE

**UID**  
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<div> </div>
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<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsps p;</div>  n</span></font>
</body>
</html>
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20170126T155734Z

**Briefing with Office of Chemical Safety and Pollution  
Prevention (OCSPP)  
Alm Conference Room  
20170125T130000**

**Attendee** <mailto:Cleland-Hamnett.Wendy@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:Flynn.Mike@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:McCabe.Catherine@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:schnare.david@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:greaves.holly@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:sugiyama.george@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:bangerter.layne@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:schwab.justin@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:munoz.charles@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:davis.patrick@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:kreutzer.david@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:ericksen.doug@epa.gov>  
*RSVP* TRUE

**Attendee** <mailto:Keigwin.Richard@epa.gov>  
*Role* OPT-PARTICIPANT  
*RSVP* TRUE

**Attendee** <mailto:Barone.Stan@epa.gov>  
*Role* OPT-PARTICIPANT  
*RSVP* TRUE

**Attendee** <mailto:Morris.Jeff@epa.gov>  
*Role* OPT-PARTICIPANT  
*RSVP* TRUE



**Attendee** mailto:Mojica.andrea@epa.gov  
    *Role* OPT-PARTICIPANT  
    *RSVP* TRUE

**Attendee** mailto:Wise.Louise@epa.gov  
    *Role* OPT-PARTICIPANT  
    *RSVP* TRUE

**Categories**  
PUBLIC

**CREATED**  
20170124T215736Z

**Description**  
SCt: Denise Anderson, 564-1782

**End Date/Time**  
20170125T134500

**DTSTAMP**  
20170124T215732Z

**Start Date/Time**  
20170125T130000

**Last Modified**  
20170128T074011Z

**Location**  
Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )  
mailto:benton.donald@epa.gov

**Priority**  
5

**Sequence Number**  
3

**Summary**  
Briefing with Office of Chemical Safety and Pollution Prevention (OCSP)

**Time Transparency**  
OPAQUE

**UID**  
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#800000 2px solid; } --></style>
</head>
<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
<div>&nbsp;</div>
</span></font>
</body>
</html>
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**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20170124T162207Z

# Briefing with Office of General Counsel (OGC)

## Alm Conference Room

### 20170125T110000

Attendee mailto:Minoli.Kevin@epa.gov  
RSVP TRUE

Attendee mailto:Packard.Eli se@epa.gov  
RSVP TRUE

Attendee mailto:McCabe.Catherine@epa.gov  
RSVP TRUE

Attendee mailto:Flynn.Mike@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:munoz.charles@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:Hautamaki.Jared@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170124T215620Z

**Description**

SCt: Denise Anderson, 564-1782

**End Date/Time**

20170125T114500

**DTSTAMP**

20170124T215616Z

**Start Date/Time**

20170125T110000

**Last Modified**

20170128T074011Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

6

**Summary**

Briefing with Office of General Counsel (OGC)

**Time Transparency**

OPAQUE

**UID**

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<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 564-1782</div>
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</body>
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**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T162131Z

# Briefing with Office of Water (OW)

## Alm Conference Room

### 20170125T100000

|                 |                                         |
|-----------------|-----------------------------------------|
| <u>Attendee</u> | <u>mailto:Shapiro.Mike @epa.gov</u>     |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:Best-Won g.Benita@epa.gov</u> |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:McCabe.Catherine@epa.gov</u>  |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:Flynn.Mike@epa .gov</u>       |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:schnare.dav id@epa.gov</u>    |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:greaves.hol ly@epa.gov</u>    |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:sugiyama.george@epa.gov</u>   |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:bangerter .layne@epa.gov</u>  |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:schwab.just in@epa.gov</u>    |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:munoz.charl es@epa.gov</u>    |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:davis.patrick@epa.gov</u>     |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:kreutzer.david@epa.gov</u>    |
| RSVP            | TRUE                                    |
| <u>Attendee</u> | <u>mailto:ericksen.doug@epa.gov</u>     |
| RSVP            | TRUE                                    |

Categories  
PUBLIC

CREATED  
20170124T215513Z

Description  
SCt: Denise Anderson, 564-1782

**End Date/Time**

20170125T104500

**DTSTAMP**

20170124T215508Z

**Start Date/Time**

20170125T100000

**Last Modified**

20170128T074011Z

### Location

## Alm Conference Room

**ORGANIZER** ( CN="Benton, Donald" )  
mailto:benton.donald@epa.gov

mailto:benton.donald@epa.gov

**Priority**

5

**Sequence Number**

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5

## Summary

## Briefing with Office of Water (OW)

## Time Transparency

OPAQUE

UID

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</head>
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<div>SCt: Denise Anderson, 564-1782</div>
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</span></font>
</body>
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## X-MICROSOFT-CDO-BUSYSTATUS

TENTATIVE

## X-MICROSOFT-CDO-IMPORTANCE

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170124T162050Z



# Benefit Briefing

## 3412 WJC-N

### 20170201T110000

Attendee mailto:benton.donald@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:Higginbotham.Karen@epa.gov  
RSVP TRUE

Attendee mailto:Barnett.Howard@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170127T171809Z

Description

End Date/Time  
20170201T120000

DTSTAMP  
20170127T171805Z

**Start Date/Time**

20170201T110000

**Last Modified**

20170206T141830Z

**Location**

3412 WJC-N

**ORGANIZER** ( CN="Munoz, Charles" )

mailto:munoz.charles@epa.gov

**Priority**

5

**Sequence Number**

0

**Summary**

Benefit Briefing

**Time Transparency**

OPAQUE

**UID**040000008200E00074C5B7101A82E00800000000908D71699778D2010000000000000000  
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**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**Climate Comm. Plan**  
**3402 WJC-N**  
**20170130T110000**

**Attendee** mailto:benton.donald@epa.gov  
RSVP TRUE

**Attendee** mailto:ericksen.doug@epa.gov  
RSVP TRUE

**Attendee** mailto:kreutzer.david@epa.gov  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**  
20170127T181233Z

**Description**

**End Date/Time**  
20170130T120000

**DTSTAMP**  
20170127T181229Z

**Start Date/Time**  
20170130T110000

**Last Modified**  
20170131T140639Z

**Location**  
3402 WJC-N

**ORGANIZER** ( CN="Schnare, David" )  
mailto:schnare.david@epa.gov

**Priority**  
5

**Sequence Number**  
0

**Summary**  
Climate Comm. Plan

**Time Transparency**  
OPAQUE

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</HTML>

**X-MICROSOFT-CDO-BUSYSTATUS**

BUSY

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

# Senior Staff Meeting

## Alm Conference Room

### 20170130T130000

|                 |                                                                                                        |
|-----------------|--------------------------------------------------------------------------------------------------------|
| <u>Attendee</u> | <u><a href="mailto:benton.donald@epa.gov">mailto:benton.donald@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:schnare.david@epa.gov">mailto:schnare.david@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:greaves.holly@epa.gov">mailto:greaves.holly@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:sugiyama.george@epa.gov">mailto:sugiyama.george@epa.gov</a></u>                     |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:bangerter.layne@epa.gov">mailto:bangerter.layne@epa.gov</a></u>                     |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:schwab.justin@epa.gov">mailto:schwab.justin@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:munoz.charles@epa.gov">mailto:munoz.charles@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:davis.patrick@epa.gov">mailto:davis.patrick@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:kreutzer.david@epa.gov">mailto:kreutzer.david@epa.gov</a></u>                       |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:ericksen.doug@epa.gov">mailto:ericksen.doug@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:2017HQfirstassistants@epa.gov">mailto:2017HQfirstassistants@epa.gov</a></u>         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:2017Regionfirstassistants@epa.gov">mailto:2017Regionfirstassistants@epa.gov</a></u> |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:Kling.Dave@epa.gov">mailto:Kling.Dave@epa.gov</a></u>                               |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:Brennan.Thomas@epa.gov">mailto:Brennan.Thomas@epa.gov</a></u>                       |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:Elkins.Arthur@epa.gov">mailto:Elkins.Arthur@epa.gov</a></u>                         |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:Allen.Reginald@epa.gov">mailto:Allen.Reginald@epa.gov</a></u>                       |
| RSVP            | TRUE                                                                                                   |
| <u>Attendee</u> | <u><a href="mailto:Etzel.Ruth@epa.gov">mailto:Etzel.Ruth@epa.gov</a></u>                               |

RSVP TRUE

Attendee mailto:Zarba.Christopher@epa.gov  
RSVP TRUE

Attendee mailto:Lawrence.Tanya@epa.gov  
RSVP TRUE

Attendee mailto:Benjamin-Sirmons.Denise@epa.gov  
RSVP TRUE

Attendee mailto:Hope.Brian@epa.gov  
RSVP TRUE

Attendee mailto:Knapp.Kristien@epa.gov  
RSVP TRUE

Attendee mailto:Hautamaki.Jared@epa.gov  
RSVP TRUE

Attendee mailto:Threet.Derek@epa.gov  
RSVP TRUE

Attendee mailto:Burden.Susan@epa.gov  
RSVP TRUE

Attendee mailto:Naples.Eileen@epa.gov  
RSVP TRUE

Attendee mailto:EPAVTC@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:slotkin.ron@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170127T195243Z

Description  
SCt: Denise Anderson, 202-564-1782

NOTE: Due to space constraints, please contact Denise Anderson before forwarding or inviting additional meeting attendees.

Conference Call Number   
Conference Code

End Date/Time  
20170130T140000

**DTSTAMP**

20170127T195240Z

**Start Date/Time**

20170130T130000

**Last Modified**

20170213T184535Z

**Location**

Alm Conference Room

**ORGANIZER** ( CN="McCabe, Catherine" )

mailto:McCabe.Catherine@epa.gov

**Priority**

5

**Recurrence Rule**

FREQ=WEEKLY;COUNT=1;BYDAY=MO

**Sequence Number**

0

**Summary**

Senior Staff Meeting

**Time Transparency**

OPAQUE

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#800000 2px solid; } --></style>
</head>
<body>
<font face="Calibri" size="2"><span style="font-size:11pt;">
<div>SCt: Denise Anderson, 202-564-1782</div> \n<div>&nbsp;</div>
<div><span style="background-color:yellow;"><b>NOTE :</b></span><span style="background-
color:yellow;"> Due to space constraints, please contact Denise Anderson before forwarding or inviting
additio nal meeting attendees</span>. &nbsp;</div>
<div>&nbsp;</div>
<div><font size="3"><span style="font-size:12pt;">Conference Call Number <span style="border: 1px solid black; padding: 2px 5px;">Conference Code/Ex. 6</span>
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<div><font size="3"><span style="font-size:12pt;">Conference Code <span style="border: 1px solid black; padding: 2px 5px;">Conference Code/Ex. 6</span></span></font></div>
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</html>

**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**TRIGGER**  
-PT15M

**ACTION**  
DISPLAY

**Description**  
Reminder



**20170130T180000Z**

**Categories**

PUBLIC

**CREATED**

20170127T195338Z

**End Date/Time**

20170130T190000Z

**DTSTAMP**

20170216T202631Z

**Start Date/Time**

20170130T180000Z

**Last Modified**

20170127T195338Z

**Priority**

5

**RECURRENCE-ID**

20170130T180000Z

**Sequence Number**

0

**Time Transparency**

OPAQUE

**UID**

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**X-MICROSOFT-CDO-BUSYSTATUS**

BUSY

**X-MICROSOFT-CDO-IMPORTANCE**

1

**TRIGGER**

-PT15M

**ACTION**

DISPLAY

**Description**

Reminder

# Records Management (please bring your laptop and do not logout)

3530 WJC-N

20170202T110000

Attendee mailto:Hope.Brian@epa.gov  
RSVP TRUE

Attendee mailto:Ferris.Lena@epa.gov  
RSVP TRUE

Attendee mailto:benton.donald@epa.gov  
RSVP TRUE

Attendee mailto:schnare.david@epa.gov  
RSVP TRUE

Attendee mailto:greaves.holly@epa.gov  
RSVP TRUE

Attendee mailto:sugiyama.george@epa.gov  
RSVP TRUE

Attendee mailto:bangerter.layne@epa.gov  
RSVP TRUE

Attendee mailto:schwab.justin@epa.gov  
RSVP TRUE

Attendee mailto:davis.patrick@epa.gov  
RSVP TRUE

Attendee mailto:kreutzer.david@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Categories  
PUBLIC

CREATED  
20170127T185614Z

Description

End Date/Time  
20170202T120000

DTSTAMP

20170201T174300Z

**Start Date/Time**

20170202T110000

**Last Modified**

20170206T141830Z

**Location**

3530 WJC-N

**ORGANIZER** ( CN="Munoz, Charles" )

mailto:munoz.charles@epa.gov

**Priority**

5

**Sequence Number**

1

**Summary**

Records Management (please bring your laptop and do not logout)

**Time Transparency**

OPAQUE

**UID**

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#800000 2px solid; } --></style>  
</head>  
<body>  
<font face="Calibri" size="2"><span style="font-size:11pt;">  
<div>&nbsp;</div>  
<div>&nbsp;</div>  
</span ></font>  
</body>  
</html>

**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

X-MS-OLK-APPTSEQTIME  
20170127T185610Z

**Information Law Briefing - (teleconference 1  
passcode:  
Alm Conference Room  
20170201T153000**

Conference Code/Ex. 6

Conference Code/Ex. 6

|                 |                                                                                    |
|-----------------|------------------------------------------------------------------------------------|
| <u>Attendee</u> | <u><a href="mailto:Minoli.Kevin@epa.gov">mailto:Minoli.Kevin@epa.gov</a></u>       |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:Blake.Wendy@epa.gov">mailto:Blake.Wendy@epa.gov</a></u>         |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:benton.donald@epa.gov">mailto:benton.donald@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:schnare.david@epa.gov">mailto:schnare.david@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:greaves.holly@epa.gov">mailto:greaves.holly@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:sugiyama.george@epa.gov">mailto:sugiyama.george@epa.gov</a></u> |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:bangerter.layne@epa.gov">mailto:bangerter.layne@epa.gov</a></u> |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:schwab.justin@epa.gov">mailto:schwab.justin@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:munoz.charles@epa.gov">mailto:munoz.charles@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:davis.patrick@epa.gov">mailto:davis.patrick@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:kreutzer.david@epa.gov">mailto:kreutzer.david@epa.gov</a></u>   |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:ericksen.doug@epa.gov">mailto:ericksen.doug@epa.gov</a></u>     |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:Flynn.Mike@epa.gov">mailto:Flynn.Mike@epa.gov</a></u>           |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:Connors.Sandra@epa.gov">mailto:Connors.Sandra@epa.gov</a></u>   |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:konkus.john@epa.gov">mailto:konkus.john@epa.gov</a></u>         |
| RSVP            | TRUE                                                                               |
| <u>Attendee</u> | <u><a href="mailto:Rodgers.Ryan@epa.gov">mailto:Rodgers.Ryan@epa.gov</a></u>       |
| RSVP            | TRUE                                                                               |

**Attendee** mailto:slotkin.ron@epa.gov  
RSVP TRUE

**Attendee** mailto:Veney.Carl a@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Jones.Gai l-R@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Hautamaki.Jared@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Hammitt.Jennifer@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Miller.Ke vin@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**  
20170130T161255Z

**Description**  
SCt: Denise Anderson, 202-564-1782

**End Date/Time**  
20170201T163000

**DTSTAMP**  
20170201T184130Z

**Start Date/Time**  
20170201T153000

**Last Modified**  
20170206T141831Z

**Location**  
Alm Conference Room

**ORGANIZER** ( CN="McCabe, Catherine" )  
mailto:McCabe.Catherine@epa.gov

**Priority**

**Sequence Number**

4

**Summary**Information Law Briefing - (teleconference 1  passcode )**Time Transparency**

OPAQUE

**UID**040000008200E00074C5B7101A82E0080000000070226DA4E97AD2010000000000000000  
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#800000 2px solid; } --></style>  
</head>  
<body>  
<font face="Calibri" size="2"><span style="font-size:11pt;">  
<div>SCt: Denise Anderson, 202-564-1782</div> \n<div>&nbsp;</div>  
<div>&nbsp;</div>  
<div>&nbsp;</div>  
</span></font>  
</body>  
</html>

**X-MICROSOFT-CDO-BUSYSTATUS**

TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**

1

**X-MICROSOFT-DISALLOW-COUNTER**

FALSE

**X-MS-OLK-APPTSEQTIME**

20170131T145606Z

# FW: PADs/Comm Directors Weekly Meeting 2530 WJC-North ; Call in number

Conference Code/Ex. 6

passcode

Conference Code/Ex. 6

Conference Code/Ex. 6

**20170110T143000**

Attendee mailto:konkus.john@epa.gov  
RSVP TRUE

Attendee mailto:ericksen.doug@epa.gov  
RSVP TRUE

Attendee mailto:PADs and Alternates@epa.gov  
RSVP TRUE

Attendee mailto:Comm Directors and Alternates@epa.gov  
RSVP TRUE

Attendee mailto:AO OPA Media Relation s@epa.gov  
RSVP TRUE

Attendee mailto:peterston.john@epa.gov  
RSVP TRUE

Attendee mailto:ZITO.KELLY@EPA.GOV  
RSVP TRUE

Attendee invalid:nomail  
RSVP TRUE

Attendee mailto:Deitz.Randy@epa.gov  
RSVP TRUE

Attendee mailto:nowotarski.allison@epa.gov  
RSVP TRUE

Attendee mailto:Kadeli.Annie@epa.gov  
RSVP TRUE

Attendee mailto:Brees.Angela@epa.gov  
RSVP TRUE

Attendee mailto:Abercrombie.Almethyi st@epa.gov  
RSVP TRUE

Attendee mailto:Sharpe.Kristinn@epa.gov  
RSVP TRUE

Attendee mailto:Lincoln. Larry@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

Attendee mailto:Daguillard.Robert@epa.gov  
Role OPT-PARTICIPANT



RSVP TRUE

**Attendee** <mailto:Jones.Ene sta@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Philip.Jef f@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Jones.Ce leste@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Milbour n.Cathy@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](mailto:invalid:nomail)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Dennis. Allison@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Kandil. Shereen@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Gutro.Doug@ epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Holsm an.Marianne@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Saddle r.Melissa@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:White.Te rri-A@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Kelty.Dian e@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Fraser.Sc ott@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:DANDR EA.MICHAEL@EPA.GOV>  
Role OPT-PARTICIPANT

RSVP TRUE

**Attendee** [mailto:Marr accini.Davina@epa.gov](mailto:Marr_accini.Davina@epa.gov)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:McMichael.Nate@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Jenkins.Laura@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:kelley.jeff@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Valentine.Julia@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Deegan.Dave@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Smith.Paula@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](#)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Cohen.Nancy@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Kent.Alison@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](#)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](#)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Hubbard.Carolyn@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](#)  
Role OPT-PARTICIPANT

RSVP TRUE

**Attendee** <mailto:Senn.John@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:McGowan.Michael@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Loop.Travis@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Maguire.Megan@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Pinkney.James@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Gibbons.Dayna@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Orquina.Jessica@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:schafer.joan@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Germann.Sandy@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Amorosi.Joanne@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:noma il](#)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Dunton.Cheryl@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Mcclain-Vanderpool.Lisa@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Kargbo.Marcia@epa.gov>  
Role OPT-PARTICIPANT

RSVP TRUE

**Attendee** <mailto:Moritz.Brigette@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Taheri.Diane@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Grantha.m.Nancy@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Millett.John@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:lynn.tricia@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:slotkin.ron@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:mutter.andrew@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:StClair.Christie@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Hart.Daniel@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Vuong.Stephanie@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Drinkard.Andrea@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** [invalid:nomail](mailto:invalid:nomail)  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Widener.Charles@epa.gov>  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** <mailto:Coviello.Nancy@epa.gov>  
Role OPT-PARTICIPANT

RSVP TRUE

**Attendee** mailto:Reiter.Lisa@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** invalid:nomail  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Ng.Brian@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Brown.Margot@epa.gov  
RSVP TRUE

**Attendee** mailto:Cox.Andrew@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:mcgillcuddy.mary@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:martin.johnt@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:rowan.anne@epa.gov  
RSVP TRUE

**Attendee** mailto:Fortin.Denise@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Deamer.Eileen@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Beckmann.Ronna@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** invalid:no mail  
Role OPT-PARTICIPANT  
RSVP TRUE

**Attendee** mailto:Richardson.RobinH@epa.gov  
Role OPT-PARTICIPANT  
RSVP TRUE

**Categories**  
PUBLIC

**CREATED**

20170207T170327Z

**Description**

John and Doug,  
I'm forwarding the calendar invite for our regular Tuesday mtg/call with Headquarters Communications Directors and Regional Public Affairs Directors. I believe that Nancy mentioned it to you. Hope you can join us at 2:30 pm. Thanks, George

-----Original Appointment-----

From: Hull, George

Sent: Tuesday, August 09, 2016 2:04 PM To: Hull, George; PADs and Alternates; Comm Directors and Alternates; AO OPA Media Relations; Peterson, John; Zito, Kelly; Ragland, Micah \; Deitz, Randy; Nowotarski, Allison; Kadeli, Annie; Brees, Angela \; Abercrombie, Almethyist; Sharpe, Kristinn; Brown, Margot; Rowan, Anne

Cc: Lincoln, Larry; Daguiard, Robert; Jones, Enesta; Philip \, Jeff; Jones, Celeste; Milbourn, Cathy; Benenati, Frank; Dennis, Allison; Kandil, Shereen; Gutro, Doug; Holsman, Marianne; Saddler, Melissa; White, Terri-A; Kelty, Diane; Fraser, Scott; D'Andrea, Michael; Marraccini, Davina; McMichael, Nate; Jenkins, Laura Flynn; Kelley, Jeff; Valentine, Julia; Deegan, Dave; Smith, Paula; Abrams \, Dan; Cohen, Nancy; Kent, Alison; Conger, Nick; Enobakhare, Rose mary; Hubbard, Carolyn; Juarez, MariaElena; Senn, John; McGowan, Michael; Loop, Travis; Maguire, Megan; Pinkney, James; Gibbons, Day na; Orquina, Jessica; schaffer, joan; Germann, Sandy; Amorosi, Joanne; Harrison, Melissa; Dunton, Cheryl; McClain-Vanderpool, Lisa; Kargbo, Marcia; Moritz, Brigitte; Taheri, Diane; Grantham, Nancy; Mallett, John; Lynn, Tricia; Slotkin, Ron; Mutter, Andrew; StClair, Christie; Hart, Daniel; Vuong, Stephanie; Drinkard, Andrea; Carroll, Carly; Widener, Charles (Chuck); Coviello, Nancy; Reiter, Lisa; Emily Selia (Selia.Emily@epa.gov <mailto:Selia.Emily@epa.gov> ); Ng, Brian; Cox, Andrew; McGillicuddy, Mary; Martin, JohnT; Fortin, Denise; Eileen Deamer; Ronna Beckmann; Karen Reshkin - EPA; Richardson, RobinH

Subject: PADs/Comm Directors Weekly Meeting

When: Occurs every Tuesday effective 8/9/2016 from 2:30 PM to 3:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: 2530 WJC-North ; Call in number  passcode

**End Date/Time**

20170110T153000

**DTSTAMP**

20170203T050434Z

**Start Date/Time**

20170110T143000

**Exception Date/Times**

20170117T143000,20170124T143000

**Last Modified**

20170214T215921Z

**Location**

2530 WJC-North ; Call in number  passcode

**ORGANIZER** ( CN="Hull, George" )

mailto:Hull.George@epa.gov

**Priority**

5

**Recurrence Rule**

FREQ=WEEKLY;COUNT=4;BYDAY=TU

**Sequence Number**

167

**Summary**

FW: PADs/Comm Directors Weekly Meeting

**Time Transparency**

OPAQUE

**UID**

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#800000 2 px solid; } --></style>  
</head>  
<body>  
<font face="Calibri" size="2">< span style="font-size:11pt;">  
<div><font color="#1F497D">John and Doug, </font></div>  
<div><font color="#1F497D">I'm forwarding the calendar in vite for our regular Tuesday mtg/call with  
Headquarters Communications Directors and Regional Public Affairs Directors. I believe that Nancy  
mentioned it to you. Hope you can join us at 2:30 pm. Thanks,  
George</font></div>  
<div><font color="#1F497D">&nbsp;</font></div>  
<div>-----Original Appointment-----<br>  
<b>From:</b> Hull, George <br>  
<b>Sent:</b> Tuesday \, August 09, 2016 2:04 PM<br>  
<b>To:</b> Hull, George; PADs and Alternates; Comm Directors and Alternates; AO OPA Media  
Relations; Peterson, John; Zito, Kelly; Ragland, Micah; Deitz, Randy; Nowotarski, Allison; Kadeli,  
Annie; Brees, Angela; Abercrombie, Almethyist; Sharpe, Kristinn; Brown,  
Margot; Rowan, Anne<br>  
<b>Cc:</b> Lincoln, Larry; Daguiard, Robert; Jones, Enesta; Philip, Jeff; Jones, Celeste; Milbourn,  
Cathy; Benenati, Frank; Dennis, Allison; Kandil, Sheleen; Gutro, Doug; Holsman, Marianne; Saddler,  
Melissa; White, Terri-A; Kelty, Diane; Fraser, Scott; D'Andrea,  
Michael; Marraccini, Davina; McMichael, Nate; Jenkins, Laura Flynn; Kelley, Jeff; Valentine, Julia;  
Deegan, Dave; Smith, Paula; Abrams, Dan; Cohen, Nancy; Kent, Alison; Conger, Nick; Enobakhare,  
Rosemary; Hubbard, Carolyn; Juarez, Maria Elena; Senn, John; McGowan,  
Michael; Loop, Travis; Maguire, Megan; Pinkney, James; Gibbons, Dayna; Orquina, Jessica; Schafer,  
Joan; Germann, Sandy; Amorosi, Joanne; Harrison, Melissa; Dunton, Cheryl; McClain-Vanderpool, Lisa;  
Kargbo, Marcia; Moritz, Brigitte; Taheri, Diane; Grantham,  
Nancy; Millett, John; Lynn, Tricia; Slotkin, Ron; Mutter, Andrew; StClair, Christie; Hart, Daniel; Vuong,  
Stephanie; Drinkard, Andrea; Carroll, Carly; Winder, Charles (Chuck); Coviello, Nancy; Reiter, Lisa;  
Emily Selia (<a href="mailto:Selia.Emily@epa.gov"><font color="#0563C1"><u>Selia.Emily@ep

a.gov</u></font></a>);  
Ng, Brian; Cox, Andrew; McGillicuddy, Mary ; Martin, JohnT; Fortin, Denise; Eileen Deamer; Ronna Beckmann; Kare n Reshkin - EPA; Richardson, RobinH<br>  
<b>Subject:</b> PADs/Comm Direc tors Weekly Meeting<br>  
<b>When:</b> Occurs every Tuesday effective 8/9/2 016 from 2:30 PM to 3:30 PM (UTC-05:00) Eastern Time (US & Canada).<b r>  
<b>Where:</b> 2530 WJC-North ; Call in number:  passcode:  </div>  
<div>&nbsp;</div>  
<div>&nbsp;</div>  
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</body>  
</html>

**X-MICROSOFT-CDO-BUSYSTATUS**  
TENTATIVE

**X-MICROSOFT-CDO-IMPORTANCE**  
1

**X-MICROSOFT-DISALLOW-COUNTER**  
FALSE

**X-MS-OLK-APPTSEQTIME**  
20160922T151550Z

**TRIGGER**  
-PT15M

**ACTION**  
DISPLAY

**Description**  
Reminder



**To:** mbiesecker@ap.org[mbiesecker@ap.org]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 6:46:00 PM  
**Subject:** FW: Message from the Acting Administrator



Today we welcome to EPA members of President Trump's beachhead team. Acting Deputy Administrator Mike Flynn and I will work closely with them as they transition into the Agency.

A message from Senior White House Advisor Don Benton and White House Liaison Charles Munoz:

"As the leaders for the new Administration on EPA transition, we would like to say thank you for the warm reception that we have received. We are looking forward to working with the career professionals at the EPA to make this transition work as well as possible, and to carry out the Agency's mission to protect public health and the environment. We know and understand the incredible knowledge level and commitment of the people who work here. We will be asking you for help. We are committed to working with you. While transitions are always hard, straight forward honest communication combined with respect for each other will make the process work much better."

Listed below are the names and short bios of those currently serving on the transition team.

Layne Bangerter

• Layne is an Idaho native who most recently worked with Sen. Crapo. He brings a wealth of experience in the natural resources world related to farming and ranching.

Don Benton, Senior White House Advisor

- Don is from Washington State and served in the State Senate there for 20 years. Don has a long and accomplished history in the private sector in addition to his service as the head of a large county environmental office in Washington.

Patrick Davis

- Patrick is a nationally recognized political consultant and strategist. Since 1992, he has advised candidates for President, Governor, U.S. Senate, Congress, and state/local offices. Patrick is an organizational, strategic, and communications consultant to corporations, issue committees, and non-profits.

Doug Ericksen, Communications Director

- Doug is a Washington State native and a current member of the Washington State Senate. Senator Ericksen has extensive background in energy and environmental policy. He holds a B.A. in Government from Cornell University and a M.A. in Environmental Policy.

Holly Greaves, Budget Issues

- Holly has a long background in government accounting and Federal financial management. Ms. Greaves previously worked as a senior manager with KPMG and with the public accounting firm EY. She is a licensed CPA, CISA, and CGFM.

David Kreutzer

- David finished nine years with the Heritage Foundation as Senior Research Fellow in Energy, Economics, and Climate Change. David taught economics at Ohio University for three years and at James Madison University for 22 years. His academic research has been published in numerous professional publications.

Charles Munoz, White House Liaison

- Charles comes to the EPA from Nevada, where he served in key capacities for Americans for Prosperity. For the last two years, Charles served The Donald J. Trump campaign in several high level positions.

David Schnare, Esq., Ph.D

- Dr. Schnare is an attorney and environmental scientist returning to EPA after a 41 year career in the field of environmental science, with 33 of those years at EPA. Most recently, Dr. Schnare has been associated with the Free-Market Environmental Law Clinic, The Energy and Environment Legal Institute and the Center for Environmental Stewardship at the Thomas Jefferson Institute for Public Policy.

Justin Schwab, Legal Advisor

- Justin is an environmental and regulatory lawyer currently practicing in the Washington, D.C., area. Justin will be serving as legal advisor on several fronts including environmental health and safety, in addition to other key areas of implementing EPA's core mission.

George Sugiyama

- George brings over 30 years of EPA experience with him to the transition team. George will be serving as a senior advisor to the team.

Please join me in welcoming our new colleagues to EPA.

Catherine McCabe

Acting Administrator

**To:** Devin Henry[dhenry@thehill.com]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 7:25:47 PM  
**Subject:** RE: Trump EPA visit?

Devin,

I am not able to share any information until the Senate has taken action on the nomination of AG Pruitt. I cannot assume the Senate will act in one way or another or that they will act at all this week.

Look for information to be released if the Senate acts on his nomination tomorrow.

Doug Ericksen

**From:** Devin Henry [mailto:dhenry@thehill.com]  
**Sent:** Thursday, February 16, 2017 2:23 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Trump EPA visit?

Hey Doug,

For my planning purposes and not for publication: Once Scott Pruitt is confirmed, should we expect any more news from the EPA tomorrow? Either Pruitt statements or orders, or Trump actions, etc.?

Let me know. Thank you.

-Devin

On Wed, Feb 15, 2017 at 12:59 PM, Devin Henry <[dhenry@thehill.com](mailto:dhenry@thehill.com)> wrote:

Thanks Doug. Keep me up to date on scheduling. Appreciate it.

On Wed, Feb 15, 2017 at 12:57 PM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

We have no confirmation of Pres. Trump coming to the EPA building. We would love to host him but at this time there is nothing set up.

Doug Ericksen

Sent from my iPhone

On Feb 15, 2017, at 12:03 PM, Devin Henry <[dhenry@thehill.com](mailto:dhenry@thehill.com)> wrote:

Hey Doug,

Devin Henry with The Hill here.

Can you confirm anything (on background as an administration official, if you'd like) from this Inside EPA piece about potential Trump executive orders at the EPA? [https://insideepa.com/daily-news/trump-eyes-epa-visit-announce-limits-agency-after-pruitt-sworn?utm\\_source=dlvr.it&utm\\_medium=twitter](https://insideepa.com/daily-news/trump-eyes-epa-visit-announce-limits-agency-after-pruitt-sworn?utm_source=dlvr.it&utm_medium=twitter)

Let me know. I'm writing something based on that report but would like to confirm it on my own if possible.

Thanks for any hope you can give. Thanks Doug,

-Devin

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: Personal Phone/Ex. 6

Twitter: @dhenry

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: Personal Phone/Ex. 6

Twitter: @dhenry

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: **Personal Phone/Ex. 6**

Twitter: @dhenry

**To:** Anderson, Denise[anderson.denise@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/9/2017 10:46:12 PM  
**Subject:** Re: swearing in ceremony

Personal Matters/Ex. 6

Sent from my iPhone

On Feb 9, 2017, at 12:49 PM, Anderson, Denise <[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)> wrote:

Need birth date

Denise L. Anderson

Executive Assistant to the Acting Deputy Administrator

Office of the Administrator

Desk: 202-564-1782

Cell: 202-253-5235

[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)

**From:** Ericksen, Doug  
**Sent:** Thursday, February 09, 2017 3:42 PM  
**To:** Anderson, Denise <[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)>  
**Subject:** Re: swearing in ceremony

Personal Matters/Ex. 6



Sent from my iPhone

On Feb 9, 2017, at 12:23 PM, Anderson, Denise <[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)> wrote:

Please send me your vitals asap. Thanks

Denise L. Anderson

Executive Assistant to the Acting Deputy Administrator

Office of the Administrator

Desk: 202-564-1782

Cell: 202-253-5235

[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)

**From:** Benton, Donald

**Sent:** Thursday, February 09, 2017 2:47 PM

**To:** Anderson, Denise <[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)>

**Subject:** FW: swearing in ceremony

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.gif>

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 5:30:33 PM  
**Subject:** Media calls

Do we have a list of media inquiries that need a response?

Sent from my iPhone

**To:** Robin Bravender[rbravender@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Thur 2/16/2017 6:06:11 PM  
**Subject:** Re: Meeting Thursday morning?

Did my email come through to move to elephant and castle? I am there now

Sent from my iPhone

On Feb 16, 2017, at 8:40 AM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Great, let's plan on 1 pm at the Trump Hotel Starbucks. Thanks!

Robin Bravender  
Environment & Energy Publishing  
Desk: 202-446-0410  
Mobile: Personal Phone/Ex. 6

On Feb 16, 2017, at 8:32 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

We can meet at the Starbucks in the Trump Hotel today. I am free till 11. And then I am free from 1-2.

Doug

**From:** Robin Bravender [<mailto:rbravender@eenews.net>]  
**Sent:** Wednesday, February 15, 2017 9:51 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Re: Meeting Thursday morning?

Let's reschedule! Let me know a good time for you. I could meet Thursday afternoon, if that works for you.

Robin Bravender

Environment & Energy Publishing

Desk: 202-446-0410

Mobile: Personal Phone/Ex. 6

On Feb 15, 2017, at 8:58 PM, Robin Bravender <[rbravender@eenews.net](mailto:rbravender@eenews.net)> wrote:

Hi Doug,

Please let me know if you still want to meet at 7 a.m. tomorrow. If I don't hear from you tonight, I'll assume we're off and we can reschedule for a time that's most convenient for you. I know you're having a hectic week!

Thanks!

Robin

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 5:29:07 PM  
**Subject:** Re: Reading Ground Breaking - Jan 26

?

Sent from my iPhone

On Jan 24, 2017, at 12:09 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

You can participate- please let us know who will attend thx ng

Sent from my iPhone

On Jan 24, 2017, at 12:04 PM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Participation approved  
Erickson

Sent from my iPhone

On Jan 24, 2017, at 12:03 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi Doug,

Region 3 in Philadelphia, was invited participate in this SRF\$ groundbreaking in Reading, PA on Thursday of this week.

They are looking for guidance on their participation.

Thanks ng

**Nancy Grantham**

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone/Ex. 6: (mobile)

On Jan 23, 2017, at 4:34 PM, damm, thomas <[Damm.Thomas@epa.gov](mailto:Damm.Thomas@epa.gov)> wrote:

All,

Please see note below indicating that the City of Reading has hastily scheduled a groundbreaking ceremony for **this Thursday** to begin upgrades to its Fritz Island Wastewater Treatment Plant. It is the largest EPA Clean Water State Revolving Fund (CWSRF) project in Pennsylvania and the Mid-Atlantic Region – involving nearly \$150 million in low-interest loans. The project includes upgrades to the liquid and solids treatment facilities designed to achieve full compliance with the city's NPDES permit and eliminate wet weather discharges of untreated sewage to the Schuylkill River. EPA's CWSRF provides funding to PENNVEST through an annual capitalization grant which is then added to repayments from previous loans.

The PENNVEST Board of Trustees has approved a total of \$148.9 million for needed improvements at the plant, the latest financial action occurring on January 18, 2017. We had been in touch with PENNVEST before the holidays to coordinate the timing of a press event, but there was no word until the email below that an event had been scheduled.

Tom

**From:** Cunningham, Magdalene

**Sent:** Monday, January 23, 2017 2:58 PM  
**To:** damm, thomas <[Damm.Thomas@epa.gov](mailto:Damm.Thomas@epa.gov)>  
**Cc:** Chominski, Robert <[Chominski.Robert@epa.gov](mailto:Chominski.Robert@epa.gov)>  
**Subject:** FW: invitation - Reading Ground Breaking - Jan 26

Tom,

Sorry this was delayed – I was out of town all of last week.

Magdalene Cunningham

Region 3 CWSRF Coordinator

215-814-2338

**From:** Schlupp, Tesra [<mailto:tschlupp@pa.gov>]  
**Sent:** Thursday, January 19, 2017 8:55 AM  
**To:** Cunningham, Magdalene <[Cunningham.Magdalene@epa.gov](mailto:Cunningham.Magdalene@epa.gov)>  
**Cc:** Johnson, Brion <[bjohnson@pa.gov](mailto:bjohnson@pa.gov)>  
**Subject:** FW: invitation - Reading Ground Breaking.

Hi Maggie,

I hope you are well. Brion asked that I pass this info along to you. I will certainly send the official invitation when we receive it.

**From:** Amy Morriss [<mailto:Amy.Morriss@readingpa.gov>]  
**Sent:** Tuesday, January 17, 2017 1:07 PM  
**To:** Schlupp, Tesra  
**Subject:** invitation

Hi Tes,



I wanted to give you a heads up on the city's last minute decision to do a Groundbreaking Ceremony on January 26<sup>th</sup> at 11:00 A.M. Official invites will be in the mail tomorrow.

I apologize for the last minute - we were going to push it back to February but since construction started already it is very difficult to determine if we will have space that's not under construction in February.

I wanted to check with you to see who (besides yourself) you think should get an invitation as Pennvest is supporting this project.

Could you advise?

I know from my experience I would like to invite everyone I was involved with since you are were such a great help...but I don't think that's possible☹

Here is the address I would use for you – please let me know if that is correct.

Thanks!

**Tesra L. Schlupp** | Region III Project Specialist

Pennsylvania Infrastructure Investment Authority (PENNVEST)

Room 434 Forum Building|607 South Drive| Hbg, PA. 17120

Amy Morriss

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 5:04:52 PM  
**Subject:** Re: Reading Ground Breaking - Jan 26

Participation approved  
Erickson

Sent from my iPhone

On Jan 24, 2017, at 12:03 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi Doug,

Region 3 in Philadelphia, was invited participate in this SRF\$ groundbreaking in Reading, PA on Thursday of this week.

They are looking for guidance on their participation.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

On Jan 23, 2017, at 4:34 PM, damm, thomas <[Damm.Thomas@epa.gov](mailto:Damm.Thomas@epa.gov)> wrote:

All,

Please see note below indicating that the City of Reading has hastily scheduled a groundbreaking ceremony for **this Thursday** to begin upgrades to its Fritz Island Wastewater Treatment Plant. It is the largest EPA Clean Water State Revolving Fund (CWSRF) project in Pennsylvania and the Mid-Atlantic Region – involving nearly \$150 million in low-interest loans. The project includes upgrades to the liquid and solids treatment facilities designed to achieve full compliance with the city's NPDES permit and eliminate wet weather discharges of untreated sewage to the Schuylkill River. EPA's CWSRF provides funding to PENNVEST through an annual capitalization grant which is then added to repayments from previous loans.

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We had been in touch with PENNVEST before the holidays to coordinate the timing of a press event, but there was no word until the email below that an event had been scheduled.

Tom

**From:** Cunningham, Magdalene  
**Sent:** Monday, January 23, 2017 2:58 PM  
**To:** damm, thomas <[Damm.Thomas@epa.gov](mailto:Damm.Thomas@epa.gov)>  
**Cc:** Chominski, Robert <[Chominski.Robert@epa.gov](mailto:Chominski.Robert@epa.gov)>  
**Subject:** FW: invitation - Reading Ground Breaking - Jan 26

Tom,

Sorry this was delayed – I was out of town all of last week.

Magdalene Cunningham

Region 3 CWSRF Coordinator

215-814-2338

**From:** Schlupp, Tesra [<mailto:tschlupp@pa.gov>]  
**Sent:** Thursday, January 19, 2017 8:55 AM  
**To:** Cunningham, Magdalene <[Cunningham.Magdalene@epa.gov](mailto:Cunningham.Magdalene@epa.gov)>  
**Cc:** Johnson, Brion <[bjohnson@pa.gov](mailto:bjohnson@pa.gov)>  
**Subject:** FW: invitation - Reading Ground Breaking.

Hi Maggie,

I hope you are well. Brion asked that I pass this info along to you. I will certainly send the official invitation when we receive it.

**From:** Amy Morriss [<mailto:Amy.Morriss@readingpa.gov>]  
**Sent:** Tuesday, January 17, 2017 1:07 PM  
**To:** Schlupp, Tesra  
**Subject:** invitation

Hi Tes,

I wanted to give you a heads up on the city's last minute decision to do a Groundbreaking Ceremony on January 26<sup>th</sup> at 11:00 A.M. Official invites will be in the mail tomorrow.

I apologize for the last minute - we were going to push it back to February but since construction started already it is very difficult to determine if we will have space that's not under construction in February.

I wanted to check with you to see who (besides yourself) you think should get an invitation as Pennvest is supporting this project.

Could you advise?

I know from my experience I would like to invite everyone I was involved with since

you are were such a great help...but I don't think that's possible☺

Here is the address I would use for you – please let me know if that is correct.

Thanks!

**Tesra L. Schlupp** | Region III Project Specialist

Pennsylvania Infrastructure Investment Authority (PENNVEST)

Room 434 Forum Building|607 South Drive| Hbg, PA. 17120

Amy Morriss

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 5:03:06 PM  
**Subject:** Re: media inquiry

Good to go  
Erickson

Sent from my iPhone

On Jan 24, 2017, at 11:59 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi Doug,

The attached contains Questions from the “Young Turks” media outlet. They are covering the East Chicago, Indiana lead in soil issue at the HUD housing project. EPA is there as part of the superfund cleanup.

Region 5 has been working on the answers with our office of water for a week or so and they are no ready to go.

Please let me know if we can release.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Rowan, Anne  
**Sent:** Tuesday, January 24, 2017 10:18 AM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Cc:** Kelley, Jeff <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>  
**Subject:** further revisions to DRAFT tyt responses

Hi Nancy, this version reflects comments from OW, Bob and Mark Johnson. Bob will be 'out of pocket' all afternoon but has made it clear that he wants this response to go out *today*. Please advise. Thank you.

Anne Rowan, Chief

News Media & Intergovernmental Relations Section

Office of External Communications

U.S. EPA Region 5, Chicago

[rowan.anne@epa.gov](mailto:rowan.anne@epa.gov)

312-353-9391

<tyt.draft6.docx>

**To:** Greaves, Holly[greaves.holly@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 4:28:31 PM  
**Subject:** Ericksen

Let me know if you rescheduled the meeting on grants and if you have a copy of the order to freeze the grants.

ericksen



**To:** Kevin Bogardus[kbogardus@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/8/2017 2:54:47 PM  
**Subject:** Re: Don Benton staying at EPA

I guess that is pretty clear.

Sent from my iPhone

On Feb 8, 2017, at 6:35 AM, Kevin Bogardus <[kbogardus@eenews.net](mailto:kbogardus@eenews.net)> wrote:

Here's the quote from McCabe. It's towards the end of the video.

"Senator Benton has advised us that he will be staying on with the EPA following the transition period as the senior White House adviser," McCabe said in the message, meant for agency employees.

And the story.

<http://www.eenews.net/eenewspm/stories/1060049677>

## **EPA**

# **Trump's top political aide to stay past transition**

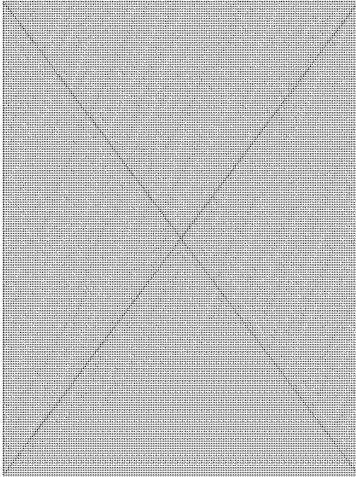
Kevin Bogardus, E&E News reporter

Published: Tuesday, February 7, 2017

Don Benton is staying put at U.S. EPA.

In a video message uploaded to YouTube yesterday, acting EPA Administrator Catherine

McCabe said President Trump's top political aide will stay on at the agency past the transition. Soon after Trump's inauguration, Benton, a Republican former Washington state senator, was put in charge of EPA's "beachhead" team to help settle in the incoming administration.



Don Benton. Photo courtesy of Benton via Facebook.

"Senator Benton has advised us that he will be staying on with the EPA following the transition period as the senior White House adviser," McCabe said in the message, meant for agency employees.

McCabe said Benton had been working closely with her and acting Deputy Administrator Mike Flynn, advising them on the Trump administration's policies and executive orders.

Benton was Trump's campaign chairman in the Evergreen State. He has already had to calm fears among EPA's career staff regarding the new president's plans for the agency, though he did warn in an all-agency email that changes were coming to EPA (*E&E News PM*, Jan. 30).

McCabe also addressed reports of changes being made to EPA's website, in particular concerns that climate change data was being erased.

"I would like to allay the fears and rumors that scientific data and information are being deleted. That is not the case," McCabe said.

The acting EPA chief said the only changes that have been made are "ordinary housekeeping changes" done by agency career employees. Last week, an EPA spokesman said any changes to the website observed thus far were made before Trump took office (*Greenwire*, Feb. 3).

Twitter: [@KevinBogardus](#) Email: [kbogardus@eenews.net](mailto:kbogardus@eenews.net)

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Wednesday, February 08, 2017 8:48 AM  
**To:** Kevin Bogardus <[kbogardus@eenews.net](mailto:kbogardus@eenews.net)>  
**Subject:** Re: Don Benton staying at EPA

Great. I will go back and watch it. I worked on the text but did not watch video

Ericksen

Sent from my iPhone

On Feb 8, 2017, at 5:45 AM, Kevin Bogardus <[kbogardus@eenews.net](mailto:kbogardus@eenews.net)> wrote:

Thanks for checking in, Doug. That is what Catherine McCabe said in a YouTube video that was posted on Monday. I sent you the link in my first email.

-Kevin

Sent from my iPhone

On Feb 8, 2017, at 8:42 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Kevin. Where did you see report about Benton staying at EPA.

Ericksen

Sent from my iPhone

On Feb 7, 2017, at 11:41 AM, Kevin Bogardus <[kbogardus@eenews.net](mailto:kbogardus@eenews.net)> wrote:

Doug, John and Julia,

Hi, it's Kevin Bogardus with E&E News.

I just wanted to give you a heads up that I'm writing on a brief piece about Don Benton staying on at EPA, citing this video message from Acting Administrator McCabe.

<https://www.youtube.com/watch?v=KByJUYJX42U&feature=youtu.be>

I don't need a comment from you but just wanted to let you know. If any thoughts, please get back to me now since my deadline is 3 pm EST today. Thanks for your help.

**Kevin Bogardus**

E&E News reporter

[kbogardus@eenews.net](mailto:kbogardus@eenews.net)

202-446-0401 (p)

Personal Phone/Ex. 6 (c)

202-737-5299 (f)

Follow me [@KevinBogardus](#)

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**E&E NEWS**

122 C Street, NW, Suite 722, Washington, DC 20001

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM, E&ETV



**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 4:27:01 PM  
**Subject:** Web page

Nancy,

Web page is taking a higher priority right now. I need to work with on this sooner than other items.

Doug

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 4:18:52 PM  
**Subject:** RE: Hiring Freeze

How do I get a copy of that?

ericksen

**From:** Schnare, David  
**Sent:** Tuesday, January 24, 2017 10:54 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Hiring Freeze

I have a hard copy of that.

Sent from my iPhone

On Jan 24, 2017, at 10:52 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

David,

Do we also have a version for suspending the contracts.

Ericksen

**From:** Schnare, David  
**Sent:** Tuesday, January 24, 2017 9:34 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Fwd: Hiring Freeze

Sent from my iPhone

Begin forwarded message:

**From:** "McCabe, Catherine" <[McCabe.Catherine@epa.gov](mailto:McCabe.Catherine@epa.gov)>  
**Date:** January 23, 2017 at 4:57:00 PM EST  
**To:** "Vizian, Donna" <[Vizian.Donna@epa.gov](mailto:Vizian.Donna@epa.gov)>, "Schnare, David" <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)>, "Benton, Donald" <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>, "Flynn, Mike" <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>  
**Subject:** RE: Hiring Freeze

Thanks, Donna. Is there a signed version of this Exec. Order?

**From:** Vizian, Donna  
**Sent:** Monday, January 23, 2017 4:39 PM  
**To:** Schnare, David <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)>; Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>; McCabe, Catherine <[McCabe.Catherine@epa.gov](mailto:McCabe.Catherine@epa.gov)>; Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>  
**Subject:** FW: Hiring Freeze

Please find attached the memo from the President on the Hiring Freeze. OPM will issue implementing guidance shortly.

**From:** CHCOC [<mailto:chcoc@opm.gov>]  
**Sent:** Monday, January 23, 2017 4:25 PM  
**To:** CHCOC <[chcoc@opm.gov](mailto:chcoc@opm.gov)>  
**Cc:** Reinhold, Mark D <[Mark.Reinhold@opm.gov](mailto:Mark.Reinhold@opm.gov)>  
**Subject:** FW: Hiring Freeze

Good Evening CHCO's and Deputies (via Bcc),

Please see below a message from Mark Reinhold, Associate Director for Employee Services, regarding the Hiring Freeze Presidential Memorandum.

Regards,



Rich Snyder

Chief Human Capital Officers Council

Office of Personnel Management

Phone 202-606-1393

Mobile Personal Phone/Ex. 6

Please take a moment to complete this short customer service survey:

<http://surveys.benchmarkemail.com//Survey/Start?id=625407&s=575171>

Colleagues – Today the President issued a new Presidential Memorandum ordering a freeze on hiring of Federal civilian employees in the executive branch. A copy of the memorandum is attached.

Further guidance and clarifying information is being prepared and will be distributed as soon as possible; we appreciate your patience.

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]

**From:** Ericksen, Doug

**Sent:** Tue 1/24/2017 3:54:12 PM

**Subject:** Enforcement/Investigatory/Ex. 7A

Enforcement/Investigatory/Ex. 7A

Thanks.

Ready to do web page when you are.

ericksen

**From:** Grantham, Nancy

**Sent:** Tuesday, January 24, 2017 10:52 AM

**To:** Ericksen, Doug <ericksen.doug@epa.gov>; Benton, Donald <benton.donald@epa.gov>; Schnare, David <schnare.david@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Sugiyama, George <sugiyama.george@epa.gov>; Bangerter, Layne <bangerter.layne@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Kreutzer, David <kreutzer.david@epa.gov>

**Subject:** FW: Enforcement/Investigatory/Ex. 7A

Enforcement/Investigatory/Ex. 7A

Fyi

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6 (mobile)**

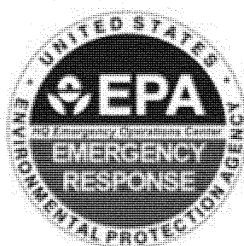
**From:** Eoc, Epahq

**Sent:** Tuesday, January 24, 2017 10:46 AM

**To:** Eoc, Epahq <Eoc.Epahq@epa.gov>

**Subject:** Enforcement/Investigatory/Ex. 7A

Enforcement/Investigatory/Ex. 7A



**Enforcement/Investigatory/Ex. 7A**

# Enforcement/Investigatory/Ex. 7A

**Media Interest:** High, Local

<http://www.pnj.com/story/news/local/cantonment/2017/01/23/international-paper-explosion-what-we-know/96939044/>

<http://pulsegulfcoast.com/2017/01/explosion-international-paper-plant-heres-know>

<http://wkrg.com/2017/01/22/breaking-loud-boom-reported-crew-on-the-way/>

[http://journaltimes.com/news/national/all-roads-open-after-florida-paper-mill-plant-explosion/article\\_58bccb19-d43b-5c60-b912-cd9ab811f9ff.html](http://journaltimes.com/news/national/all-roads-open-after-florida-paper-mill-plant-explosion/article_58bccb19-d43b-5c60-b912-cd9ab811f9ff.html)

**The HQ EOC will continue to monitor and provide updates as needed.**

**UNCLASSIFIED//FOR OFFICIAL USE ONLY**

Elizabeth Bosecker, Watch Officer

U.S Environmental Protection Agency

Headquarters Emergency Operations Center

1200 Pennsylvania Ave

Washington, DC 20004

202-564-3850 (24-hrs)

202-564-8729 (fax)

[eoc.epahq@epa.gov](mailto:eoc.epahq@epa.gov)

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 3:52:27 PM  
**Subject:** RE: Hiring Freeze

David,

Do we also have a version for suspending the contracts.

Ericksen

**From:** Schnare, David  
**Sent:** Tuesday, January 24, 2017 9:34 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Fwd: Hiring Freeze

Sent from my iPhone

Begin forwarded message:

**From:** "McCabe, Catherine" <McCabe.Catherine@epa.gov>  
**Date:** January 23, 2017 at 4:57:00 PM EST  
**To:** "Vizian, Donna" <Vizian.Donna@epa.gov>, "Schnare, David" <schnare.david@epa.gov>, "Benton, Donald" <benton.donald@epa.gov>, "Flynn, Mike" <Flynn.Mike@epa.gov>  
**Subject:** RE: Hiring Freeze

Thanks, Donna. Is there a signed version of this Exec. Order?

**From:** Vizian, Donna  
**Sent:** Monday, January 23, 2017 4:39 PM  
**To:** Schnare, David <schnare.david@epa.gov>; Benton, Donald <benton.donald@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>  
**Subject:** FW: Hiring Freeze

Please find attached the memo from the President on the Hiring Freeze. OPM will issue implementing guidance shortly.

**From:** CHCOC [<mailto:chcoc@opm.gov>]  
**Sent:** Monday, January 23, 2017 4:25 PM  
**To:** CHCOC <[chcoc@opm.gov](mailto:chcoc@opm.gov)>  
**Cc:** Reinhold, Mark D <[Mark.Reinhold@opm.gov](mailto:Mark.Reinhold@opm.gov)>  
**Subject:** FW: Hiring Freeze

Good Evening CHCO's and Deputies (via Bcc),

Please see below a message from Mark Reinhold, Associate Director for Employee Services, regarding the Hiring Freeze Presidential Memorandum.

Regards,

Rich Snyder

Chief Human Capital Officers Council

Office of Personnel Management

Phone 202-606-1393

Mobile Personal Phone/Ex. 6

Please take a moment to complete this short customer service survey:

**internal url/Ex. 6**

Colleagues – Today the President issued a new Presidential Memorandum ordering a freeze on hiring of Federal civilian employees in the executive branch. A copy of the memorandum is attached.

Further guidance and clarifying information is being prepared and will be distributed as soon as possible; we appreciate your patience.



**To:** tcama@thehill.com[tcama@thehill.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/24/2017 2:08:59 PM  
**Subject:** FW: Message from the Acting Administrator

**Good morning Timothy,**

Please feel free to contact me on my cell phone.

Personal Phone/Ex. 6 or my office 202-564-3131

Doug Ericksen

EPA Transition Com Lead



Today we welcome to EPA members of President Trump's beachhead team. Acting Deputy Administrator Mike Flynn and I will work closely with them as they transition into the Agency.

A message from Senior White House Advisor Don Benton and White House Liaison Charles Munoz:

"As the leaders for the new Administration on EPA transition, we would like to say thank you for the warm reception that we have received. We are looking forward to working with the career professionals at the EPA to make this transition work as well as possible, and to carry out the Agency's mission to protect public health and the environment. We know and understand the incredible knowledge level and commitment of the people who work here. We will be asking you for help. We are committed to working

with you. While transitions are always hard, straight forward honest communication combined with respect for each other will make the process work much better.”

Listed below are the names and short bios of those currently serving on the transition team.

Layne Bangerter

- ██████████ Layne is an Idaho native who most recently worked with Sen. Crapo. He brings a wealth of experience in the natural resources world related to farming and ranching.

Don Benton, Senior White House Advisor

- ██████████ Don is from Washington State and served in the State Senate there for 20 years. Don has a long and accomplished history in the private sector in addition to his service as the head of a large county environmental office in Washington.

Patrick Davis

- ██████████ Patrick is a nationally recognized political consultant and strategist. Since 1992, he has advised candidates for President, Governor, U.S. Senate, Congress, and state/local offices. Patrick is an organizational, strategic, and communications consultant to corporations, issue committees, and non-profits.

Doug Ericksen, Communications Director

- ██████████ Doug is a Washington State native and a current member of the Washington State Senate. Senator Ericksen has extensive background in energy and environmental policy. He holds a B.A. in Government from Cornell University and a M.A. in Environmental Policy.

Holly Greaves, Budget Issues

- ██████████ Holly has a long background in government accounting and Federal financial management. Ms. Greaves previously worked as a senior manager with KPMG and with the public accounting firm EY. She is a licensed CPA, CISA, and CGFM.

David Kreutzer

- David finished nine years with the Heritage Foundation as Senior Research Fellow in Energy, Economics, and Climate Change. David taught economics at Ohio University for three years and at James Madison University for 22 years. His academic research has been published in numerous professional publications.

Charles Munoz, White House Liaison

- Charles comes to the EPA from Nevada, where he served in key capacities for Americans for Prosperity. For the last two years, Charles served The Donald J. Trump campaign in several high level positions.

David Schnare, Esq., Ph.D

- Dr. Schnare is an attorney and environmental scientist returning to EPA after a 41 year career in the field of environmental science, with 33 of those years at EPA. Most recently, Dr. Schnare has been associated with the Free-Market Environmental Law Clinic, The Energy and Environment Legal Institute and the Center for Environmental Stewardship at the Thomas Jefferson Institute for Public Policy.

Justin Schwab, Legal Advisor

- Justin is an environmental and regulatory lawyer currently practicing in the Washington, D.C., area. Justin will be serving as legal advisor on several fronts including environmental health and safety, in addition to other key areas of implementing EPA's core mission.

George Sugiyama

- George brings over 30 years of EPA experience with him to the transition team. George will be serving as a senior advisor to the team.

Please join me in welcoming our new colleagues to EPA.

Catherine McCabe

Acting Administrator



**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 2/7/2017 12:58:25 PM  
**Subject:** RE: recusal statement to sign; approval of outside activity

Justina,

Thank you for the information you have provided.

I have one question with regards to compensation from outside work. If I only work at EPA for the 120 days or less that is included in my temporary appointment, would I still exceed the amount permitted by law to accept?

Doug Ericksen

**From:** Fugh, Justina  
**Sent:** Monday, February 6, 2017 8:25 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** recusal statement to sign; approval of outside activity

Hi there,

Here is the recusal statement on letterhead for you to print out, sign and date then return to me, please. Also, here is the approval of your outside activity. Please note that you must be mindful of your Hatch Act obligations now that you are federal employee and that you are subject to the outside earned income cap per year. Your Washington State salary, if you earned it over the course of the entire year and continued to work at EPA, will exceed what you are permitted by law to accept. I've also included a handy Hatch Act chart to remind you of those obligations.  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Ericksen, Doug  
**Sent:** Friday, January 27, 2017 8:58 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Ethics -- next steps now that you are an EPA employee

Justina,

I currently serve as a temporary special advisor to the administrator with the EPA. I am the communications lead for the Transition Team. I am also a sitting State Senator in Washington State and I wish to continue to serve as State Senator while a temporary employee at the EPA.

Here are the answers to the questions you provided.

- your name, EPA title and grade (meaning your type of appointment and pay grade);

Special Advisor to the Administrator and Transition Team Communications Lead. Temporary Appointment. GS15

- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;

State Senator for the Washington State. Typically duties of a State Senator. Compensation is set by Washington State law at \$45,000 per year.

- the name and business of the person or organization for which the work will be done (in cases of

self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);

Washington State Senate. People of the 42<sup>nd</sup> Legislative District.

- the estimated time to be devoted to the activity;

Variable on a week to week basis. No work to be conducted during EPA hours without taking leave.

- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);

All work done outside of duty hours unless taking a leave day.

- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;

I will use no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.

- the basis for compensation (e.g., fee, per diem, per annum, etc.)

Per annum salary

- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 ([Subpart H on "Outside Activities"](#)) and Section 6401.103 ([EPA's Supplemental Regulations](#)); and

I have read, understand, and will abide by the restrictions described in 5 CFR part 2635 and section 6401-103.

● an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided (if you don't know, then just say you are not personally aware of any).

I am not aware of any.

**From:** Fugh, Justina

**Sent:** Wednesday, January 25, 2017 10:46 AM

**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>

**Subject:** Ethics -- next steps now that you are an EPA employee

Hi there,

Now that you are officially sworn in as an EPA employee, I want to provide you with specific ethics advice:

1) Submit your new entrant public financial disclosure report in INTEGRITY. We noticed that you haven't started that yet, so don't forget that it is due on 2/21/17. If you need an extension, you have to ask me before the expiration of the deadline. The account is currently set up with your personal email address as the user ID. Unless we hear from you otherwise today, we will change the user ID to your EPA email address. That way, if we have questions or comments about your submission, we can communicate with you through INTEGRITY using your EPA email.



2) Because you want to continue to serve as an elected Washington State Senator, you must seek approval of that outside activity by following specified rules. Please send me an email that provides the following information:

- your name, EPA title and grade (meaning your type of appointment and pay grade);
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;
- the basis for compensation (e.g., fee, per diem, per annum, etc.);
- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 ([Subpart H on "Outside Activities"](#)) and Section 6401.103 ([EPA's Supplemental Regulations](#)); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided (if you don't know, then just say you are not personally aware of any).

- I need that information as soon as possible so that I can officially clear you to continue to serve in your elected position. Once I hear from you, I can issue you a determination that is releasable under FOIA and therefore also to the media.
- To remind, EPA will permit you to continue to serve since you were elected prior to joining EPA, but as we discussed last week, you are now subject to the Hatch Act. That law regulates the political activity of federal employees and prohibits you from unfettered involvement in partisan politics. You cannot undertake any activity that is directed at the success or failure of a partisan political candidate, group or campaign while on EPA property, using EPA equipment, or on EPA time. While

you may engage in political activity on your own time (meaning the weekend, after business hours if off EPA premises, or while on leave or leave without pay), you are now subject to certain 24/7 restrictions. While you are a federal employee, you are prohibited from running for future partisan office and cannot solicit, accept or receive political contributions or engage in any partisan fundraising. Please do not mingle your state duties with your EPA duties.

- With respect to your other ethical obligations, I remind you that you have a financial conflict of interest with the State of Washington, so cannot participate personally and substantially in any particular matter that affects Washington as a specific party or as a member of a class. Attached is a recusal statement for you to review. Typically, these recusal statements are sent to your supervisor, but I'm not sure who that is (perhaps Mr. Benton?). If there are any changes to make, just let me know and I'll take care of it, then send the revised version back to you for signature.

Thanks for paying attention to ethics issues!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/3/2017 8:00:04 PM  
**Subject:** Re: check out this statement -- think it adds some clarity -- let me know what you think ..thanks ng

Good to go

Sent from my iPhone

On Feb 3, 2017, at 11:32 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

<image001.gif>

Doug and John,

I added some clarifying language that we think makes this stronger. Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** **(mobile)**

**From:** Grantham, Nancy  
**Sent:** Friday, February 03, 2017 2:23 PM  
**To:** Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Cc:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** check out this statement -- think it adds some clarity -- let me know what you think ..thanks ng

As part of EPA's standard process and our continuous efforts to review and refresh the our website, EPA updated the International Climate Partnerships page to reduce redundant text and to make the page easier for the public to read. EPA also updated the Adaptation Collaboration page to remove broken links from pages that were impacted by the Presidential transition (the links went to the previous

Administration's webpage, which has been archived). Each of these updates is routine and in line with the Agency's web guidelines.

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6 (mobile)**

**To:** Hannah Hess[hhess@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Fri 2/3/2017 4:20:52 PM  
**Subject:** Re: Question on EPA climate site

Cell

Sent from my iPhone

On Feb 3, 2017, at 7:09 AM, Hannah Hess <[hhess@eenews.net](mailto:hhess@eenews.net)> wrote:

Hi Doug, we spoke a week ago about this. I wanted to follow up. Which is the best number to reach you — cell or office?

Thanks!

On Jan 27, 2017, at 2:37 PM, Hannah Hess <[hhess@eenews.net](mailto:hhess@eenews.net)> wrote:

**Hi Doug, I just called both your office and cell numbers. Didn't leave a messages. Still hoping to hear from you by 3. Thanks!**

**From:** Hannah Hess  
**Sent:** Friday, January 27, 2017 1:17 PM  
**To:** '[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)' <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Question on EPA climate site

Greetings, Doug. Looking forward to getting to know you at EPA. I write about climate for E&E News. What is the latest on the agency's review of the climate site?

NextGen Climate launched its own mirror site today, with public pages, documents, and data contained on the EPA's site. They said "in case it is altered or dismantled by the Trump Administration."

What is an accurate way to capture what is happening with the review?

I am on a 3:00 pm deadline. Also avail at 202-446-0461.

Thanks!

Hannah Hess  
E&E News Reporter  
[hhess@eenews.net](mailto:hhess@eenews.net)  
202-446-0461 (office)  
Personal Phone/Ex. 6 (mobile)  
[@ha\\_nah\\_nah](tel:2024460461)

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[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://twitter.com/EENewsUpdates)  
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

**From:** Ericksen, Doug  
**Location:** Alm Conference Room  
**Importance:** Normal  
**Subject:** Accepted: Congressman Ken Calvert Visit  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Mon 2/6/2017 6:00:00 PM  
**End Date/Time:** Mon 2/6/2017 7:30:00 PM

**To:** Emily Holden[eholden@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/1/2017 10:23:03 PM  
**Subject:** Re: CPP reporter

Good talking to you today. Feel free to contact me anytime.

Doug Ericksen

Sent from my iPhone

On Feb 1, 2017, at 1:14 PM, Emily Holden <[eholden@eenews.net](mailto:eholden@eenews.net)> wrote:

Hi Doug,

Here's my info, in case you hear anything on the Clean Power Plan. I also run E&E's [Power Plan Hub](#), where we've been tracking the state planning process. We'll be transitioning that page to cover what the Trump administration does on the rule. (I'll be in charge of making new pages to explain that, etc.) And we'll still follow state carbon policies.

FYI, I may write a short story just telling folks EPA isn't waiting with bated breath for an executive order on the Clean Power Plan. I think many of our readers are wondering if it'll come any day.

Thanks!

**Emily Holden**

Reporter at [E&E News](#)

Content Editor, [E&E's Power Plan Hub](#)

Desk: (202) 446-0408

Cell: Personal Phone/Ex. 6

[eholden@eenews.net](mailto:eholden@eenews.net)

[@emilyhholden](#)

[@EENewsUpdates](#)





**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/1/2017 7:41:15 PM  
**Subject:** Fwd: EPA proposed rule--following up on vms

What is up with this?

Sent from my iPhone

Begin forwarded message:

**From:** Sean Reilly <sreilly@eenews.net>  
**Date:** February 1, 2017 at 6:46:27 AM PST  
**To:** "Ericksen.Doug@EPA.gov" <Ericksen.Doug@EPA.gov>  
**Subject:** EPA proposed rule--following up on vms

Hi Doug:

This proposed rule (<https://s3.amazonaws.com/public-inspection.federalregister.gov/2017-02193.pdf>) is scheduled for publication in tomorrow's Federal Register. In the context of the Trump administration's regulation freeze, was a specific exception made for this particular proposal, or is its upcoming publication an indication that the freeze is more being more broadly relaxed, at least as pertains to EPA?

My deadline is 11:45 this morning.

Sean Reilly

Reporter

E&E News

202-446-0433 (Direct)

Personal Phone/Ex. 6 (Cell)

[sreilly@eenews.net](mailto:sreilly@eenews.net)

**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/1/2017 7:40:03 PM  
**Subject:** Re: updating of EPA website

Still working on web page and David is working on some projects.

Sent from my iPhone

On Feb 1, 2017, at 10:20 AM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

Can you give guidance on timing?  
Also, cld I speak to Kreutzer by phone today?  
thanks so much,  
cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/1/2017 12:31:06 PM  
**Subject:** Re: Conference news release

Is EPA a sponsor? How much are we paying?

Ericksen

Sent from my iPhone

On Feb 1, 2017, at 6:56 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

This is about the alaska conference – we should discuss ..thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

Personal Phone/Ex. 6 **(mobile)**

Follow us!



<2017 AFE PR.PDF>

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/31/2017 6:42:28 PM  
**Subject:** Re: Boston Globe story about the EPA

I will handle

Sent from my iPhone

On Jan 31, 2017, at 12:18 PM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

FYI - let's discuss

Sent from my iPhone

Begin forwarded message:

**Resent-From:** <[Press@epa.gov](mailto:Press@epa.gov)>  
**From:** "Abel, David" <[dabel@globe.com](mailto:dabel@globe.com)>  
**Date:** January 31, 2017 at 12:14:29 PM EST  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Boston Globe story about the EPA

I'm working on a story about Gina McCarthy, the former EPA administrator. She has significant concerns about the direction of the EPA, potential staff cuts, possible politicizing of the science, and alleged orders for employees not to speak publicly. I'd appreciate if you could call me or respond about these concerns, and the priorities of the incoming administration for the EPA.

Thanks,  
David -- [617-929-8511](tel:617-929-8511), C-Personal Phone/Ex. 6

David Abel  
Reporter  
The Boston Globe  
[dabel@globe.com](mailto:dabel@globe.com)  
Follow on Twitter @davabel  
See my bio [here](#) and recent stories  
[here](#)

**To:** Scipioni, Jade[Jade.Scipioni@FOXBUSINESS.COM]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/31/2017 5:10:08 PM  
**Subject:** Re: EPA Transition

Need a phone number

Sent from my iPhone

On Jan 31, 2017, at 11:12 AM, Scipioni, Jade <[Jade.Scipioni@FOXBUSINESS.COM](mailto:Jade.Scipioni@FOXBUSINESS.COM)> wrote:

Yes

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Tuesday, January 31, 2017 11:11 AM  
**To:** Scipioni, Jade  
**Subject:** Re: EPA Transition

In a meeting. Are you referring to comments from Myron ebel?

Sent from my iPhone

On Jan 31, 2017, at 10:58 AM, Scipioni, Jade <[Jade.Scipioni@FOXBUSINESS.COM](mailto:Jade.Scipioni@FOXBUSINESS.COM)> wrote:

Hi Doug—

I hope you're well. I'm working on a piece about the Paris Agreement and am wondering if you can shed any light on the reports saying Donald Trump could back out of the agreement within "days."

Thanks for your help. Happy to chat over the phone as well.

Jade

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Thursday, January 26, 2017 8:17 AM  
**To:** Scipioni, Jade  
**Subject:** EPA Transition

Jade,

Good morning.

I am Doug Ericksen with the EPA transition team. I received your message.

Please feel free to call me at 202-564-3131.

Doug Ericksen

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**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/31/2017 4:12:21 PM  
**Subject:** Re: moment to chat today?

Sure. In a meeting now.

Sent from my iPhone

On Jan 31, 2017, at 11:11 AM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

Interested on when you'll roll out new website, and other developments. Also, Kreutzer  
avail to chat by phone?

tk,  
cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport

**To:** Scipioni, Jade[Jade.Scipioni@FOXBUSINESS.COM]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/31/2017 4:11:29 PM  
**Subject:** Re: EPA Transition

In a meeting. Are you referring to comments from Myron ebel?

Sent from my iPhone

On Jan 31, 2017, at 10:58 AM, Scipioni, Jade <[Jade.Scipioni@FOXBUSINESS.COM](mailto:Jade.Scipioni@FOXBUSINESS.COM)> wrote:

Hi Doug—

I hope you're well. I'm working on a piece about the Paris Agreement and am wondering if you can shed any light on the reports saying Donald Trump could back out of the agreement within "days."

Thanks for your help. Happy to chat over the phone as well.

Jade

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Thursday, January 26, 2017 8:17 AM  
**To:** Scipioni, Jade  
**Subject:** EPA Transition

Jade,

Good morning.

I am Doug Ericksen with the EPA transition team. I received your message.

Please feel free to call me at 202-564-3131.

Doug Ericksen

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**To:** Konkus, John[konkus.john@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 1/31/2017 2:06:19 PM  
**Subject:** FW: FINAL REMINDER: EPA's Anti Harassment Procedures Training must be Completed by Tuesday, January 31, 2017

**From:** Twillman, Brian  
**Sent:** Monday, January 30, 2017 5:08 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FINAL REMINDER: EPA's Anti Harassment Procedures Training must be Completed by Tuesday, January 31, 2017

Doug - Welcome to EPA! Just wanted to check with you as this mandatory online training is to be completed by tomorrow. Given your other activities, do you expect you will have a chance to complete this by the end of the day?

●□□□□□□□□ It takes about 30 minutes. All the instructions are listed below.

Thanks very much!

– Brian Twillman, AO's Training Coordinator, 202-564-5948 or [twillman.brian@epa.gov](mailto:twillman.brian@epa.gov)

---

## FINAL REMINDER

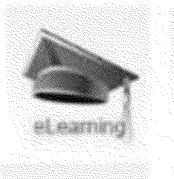
### EPA Anti-Harassment Procedures Training

**must be completed by all EPA managers and employees**

**by Tuesday, January 31, 2017**

## **Announcements**

### **Update: Anti-Harassment Training is Extended to Jan. 31, 2017**



This is a reminder for EPA employees to take the 30-minute [online anti-harassment training course](#) by Jan. 31, 2017. EPA's contractors, SEE enrollees, and other non-employees **do not** have to take this course.

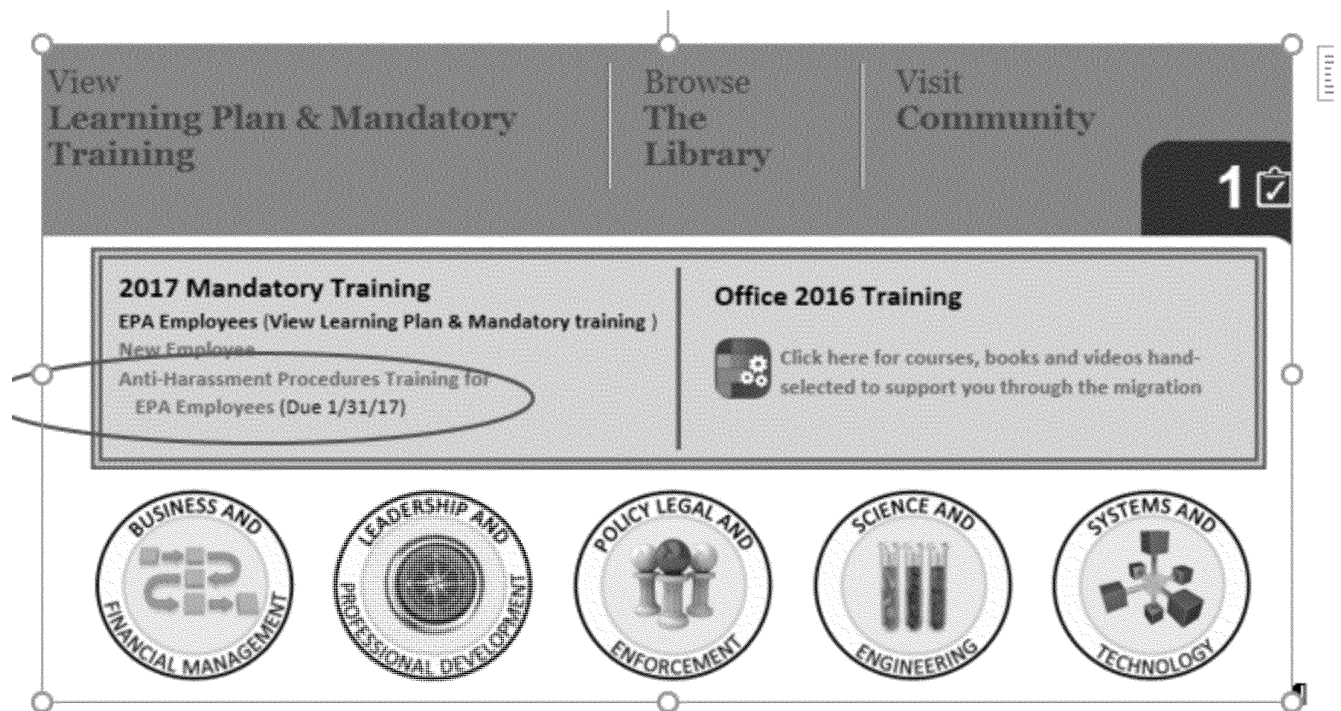
This course covers procedures outlined in EPA Order 4711 for reporting and responding to allegations of harassment within the EPA workplace. The course includes an overview of the Order, information regarding applicability, definitions, and available resources.

**According to daily reports being sent by the EPA Leadership Development Institute, you still need to complete this online training session before next Tuesday's deadline. If this is not the case and you have already taken the training, please let Brian Twillman, AO's Training Coordinator, and me know.**

**This deadline will not be extended.** To comply with this requirement, please complete this training ASAP.

## Simple steps to sign-in:

- Go to EPA's eLearning site: [internet url/Ex. 6](#)
- Sign on to your Skillport eLearning site and click on the link in the red circle below and it should take you to the Anti-harassment course automatically. Let me know if you are having any problems.



- If you need assistance, please contact Brian Twillman, AO's Training Coordinator at 202-564-5948 or [twillman.brian@epa.gov](mailto:twillman.brian@epa.gov)

Thanks very much!

- Brian Twillman, A

**From:** Twillman, Brian

**Sent:** Thursday, January 19, 2017 4:42 PM

**To:** AO PUBLIC GROUPS <[AO\\_PUBLIC\\_GROUPS@epa.gov](mailto:AO_PUBLIC_GROUPS@epa.gov)>

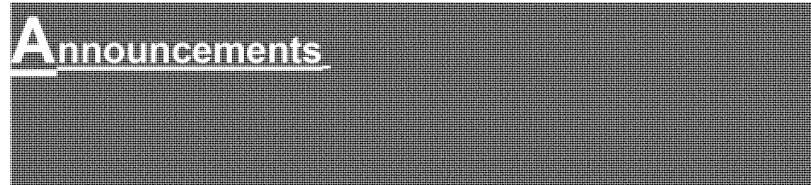
**Subject:** ALERT & REMINDER: EPA's Anti Harassment Procedures Training must be Completed by Tuesday, January 31, 2017

*This message is being sent to everyone in the Office of the Administrator via AO Public Groups*

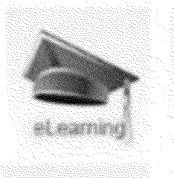
---

**Hello Everyone** – On behalf of the Agency, the EPA Leadership Development Institute is maintaining a list of everyone who has completed this training and those who have not yet accessed the training via EPA eLearning. This list is being updated and distributed to members of the HR and training community each day.

There are about 60 employees in the Office of the Administrator AO who have yet to access or begin the course. If you have yet to do so, please be sure to complete this online course as soon as possible....and, certainly on or before the January 31, 2017 deadline.



## **Update: Anti-Harassment Training is Extended to Jan. 31, 2017**



This is a reminder for EPA employees to take the 30-minute [online anti-harassment training course](#) by Jan. 31, 2017. EPA's contractors, SEE enrollees, and other non-employees **do not** have to take this course.

This course covers procedures outlined in EPA Order 4711 for reporting and responding to allegations of harassment within the EPA workplace. The course includes an overview of the Order, information regarding applicability, definitions, and available resources.

**Need Help:** If you have any questions or need assistance, please contact me.

**Brian M. Twillman, MS-ABS** - Training Coordinator and Organization Development Specialist

**"Service First, People Always."** US EPA | Office of the Administrator | Office of Administrative and Executive Services (OAES)

WJC North | Rm 2432-Y | Mail-Code 1104-A 1200 Pennsylvania Avenue, NW, WDC 20460

202.564.5948 phone | 202.564.2744 fax | Personal Phone/Ex. 6 EPA iPhone

EPA eLearning

**internet url/Ex. 6**

HQ's OHR Site

EPA University's List of Mandatory Training: <http://workplace.epa.gov/training.html>

[AO Sharepoint Site](#)

**"Live so that when others think of compassion, honesty and integrity, they think of you..."** – Unknown

**"Life is perpetual instruction in cause and effect."** – Ralph Waldo Emerson



**To:** Konkus, John[konkus.john@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 11:32:47 PM  
**Subject:** Report

Looks good. Ericksen is spelled with two "e"s though. Not a big deal

Sent from my iPhonen

**To:** Niina Heikkinen[nheikkinen@eenews.net]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 9:52:04 PM  
**Subject:** Re: introduction and quick question

You bet

Sent from my iPhone

On Jan 30, 2017, at 4:29 PM, Niina Heikkinen <nheikkinen@eenews.net> wrote:

Hello,

My name is Niina Heikkinen and I'm a reporter with Climatewire based in D.C. I wanted to introduce myself as I am one of a number of reporters at E&E News covering EPA. My focus is specifically on climate policy.

I was interested in chatting briefly about timing of some changes at the agency and was hoping you might have some time to talk either today or tomorrow. I am most easily reachable on my cell phone.

Best,

Niina Heikkinen

E & E News reporter

202-737-3715 (w)

Personal Phone/Ex. 6 (c)

@nhheikkinen

Skype: niina.h.heikkinen

**To:** Benton, Donald[benton.donald@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 8:10:24 PM  
**Subject:** Ericksen and WH contact

Don,

I have emailed Jessica Ditto several times now at the address I was provided and I have not received a response.

Please let me know if there are other ways to contact Jessica or if I need a new contact with the Administration for EPA related issues.

Doug Ericksen

**To:** Jason Plautz[jplautz@nationaljournal.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 6:48:10 PM  
**Subject:** RE: Myron Ebell

That is correct. He is not a part of the transition team now at EPA. I do not think that he has any official position or relationship with the Administration.

Doug Ericksen

**From:** Jason Plautz [mailto:jplautz@nationaljournal.com]  
**Sent:** Monday, January 30, 2017 1:46 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Myron Ebell

Hi Doug,

For my own clarity, Myron Ebell is not still affiliated with the Trump team, correct? My understanding was that he was only a transition official and is not currently doing work for the administration.

Thanks.

--

**Jason Plautz** | Energy & Environment Correspondent | National Journal

p: (202) 266.7245 | c: Personal Phone/Ex. 6

[jplautz@nationaljournal.com](mailto:jplautz@nationaljournal.com) | @jason\_plautz

600 New Hampshire Ave. N.W.

Washington, DC 20037

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 6:47:02 PM  
**Subject:** FW: Message from the Acting Administrator  
removed.txt

Nancy,

**Deliberative Process Privilege/Ex. 5**

dje

**From:** Biesecker, Michael [mailto:MBiesecker@ap.org]  
**Sent:** Monday, January 30, 2017 11:48 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Message from the Acting Administrator

Doug,

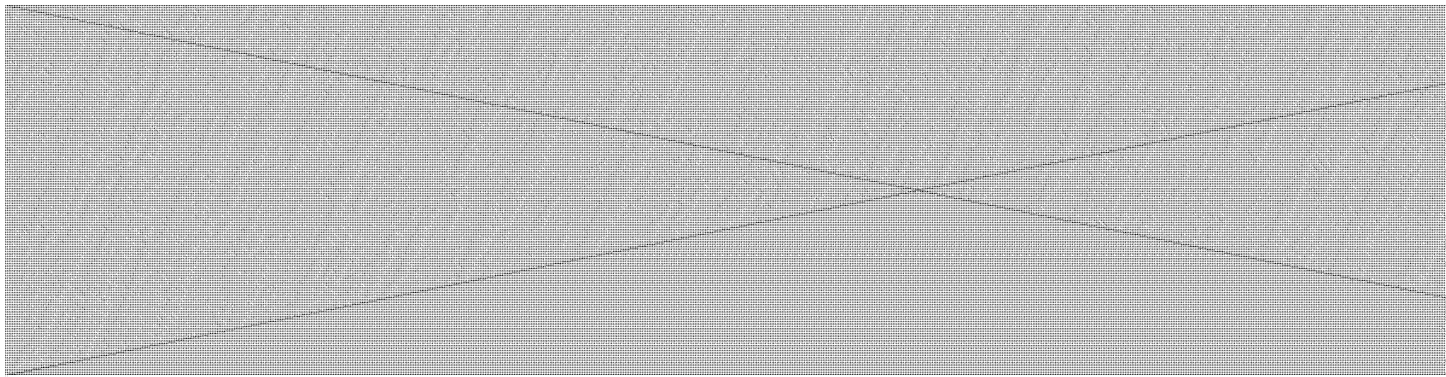
On Thursday, you said you would be sending out a media release that would, among other things, provide details about the remaining contracts that are still on hold and under review. I've not seen anything.

Could you please provide those details,

Thanks,

Michael

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Tuesday, January 24, 2017 1:46 PM  
**To:** Biesecker, Michael  
**Subject:** FW: Message from the Acting Administrator



Today we welcome to EPA members of President Trump's beachhead team. Acting Deputy Administrator Mike Flynn and I will work closely with them as they transition into the Agency.

A message from Senior White House Advisor Don Benton and White House Liaison Charles Munoz:

"As the leaders for the new Administration on EPA transition, we would like to say thank you for the warm reception that we have received. We are looking forward to working with the career professionals at the EPA to make this transition work as well as possible, and to carry out the Agency's mission to protect public health and the environment. We know and understand the incredible knowledge level and commitment of the people who work here. We will be asking you for help. We are committed to working with you. While transitions are always hard, straight forward honest communication combined with respect for each other will make the process work much better."

Listed below are the names and short bios of those currently serving on the transition team.

Layne Bangerter

- Layne is an Idaho native who most recently worked with Sen. Crapo. He brings a wealth of experience in the natural resources world related to farming and ranching.

Don Benton, Senior White House Advisor

- Don is from Washington State and served in the State Senate there for 20 years. Don has a long and accomplished history in the private sector in addition to his service as the head of a large county environmental office in Washington.

Patrick Davis

- Patrick is a nationally recognized political consultant and strategist. Since 1992, he has advised candidates for President, Governor, U.S. Senate, Congress, and state/local offices. Patrick is an organizational, strategic, and communications consultant to corporations, issue committees, and non-profits.

Doug Ericksen, Communications Director

- Doug is a Washington State native and a current member of the Washington State Senate. Senator Ericksen has extensive background in energy and environmental policy. He holds a B.A. in Government from Cornell University and a M.A. in Environmental Policy.

Holly Greaves, Budget Issues

- Holly has a long background in government accounting and Federal financial management. Ms. Greaves previously worked as a senior manager with KPMG and with the public accounting firm EY. She is a licensed CPA, CISA, and CGFM.

David Kreutzer

- David finished nine years with the Heritage Foundation as Senior Research Fellow in Energy, Economics, and Climate Change. David taught economics at Ohio University for three years and at James Madison University for 22 years. His academic research has been published in numerous professional publications.

Charles Munoz, White House Liaison



- Charles comes to the EPA from Nevada, where he served in key capacities for Americans for Prosperity. For the last two years, Charles served The Donald J. Trump campaign in several high level positions.

David Schnare, Esq., Ph.D

- Dr. Schnare is an attorney and environmental scientist returning to EPA after a 41 year career in the field of environmental science, with 33 of those years at EPA. Most recently, Dr. Schnare has been associated with the Free-Market Environmental Law Clinic, The Energy and Environment Legal Institute and the Center for Environmental Stewardship at the Thomas Jefferson Institute for Public Policy.

Justin Schwab, Legal Advisor

- Justin is an environmental and regulatory lawyer currently practicing in the Washington, D.C., area. Justin will be serving as legal advisor on several fronts including environmental health and safety, in addition to other key areas of implementing EPA's core mission.

George Sugiyama

- George brings over 30 years of EPA experience with him to the transition team. George will be serving as a senior advisor to the team.

Please join me in welcoming our new colleagues to EPA.

Catherine McCabe

Acting Administrator

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 3:20:45 PM  
**Subject:** Re: Daily press/intergovernmental calls with 10 regional public affairs directors -- don would like you to join us -- they are at 12:30 and we can do in the conference room down here -- room 3415  
..thanks ng

12.30 today?

Sent from my iPhone

On Jan 30, 2017, at 9:57 AM, Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

<image001.gif>

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

|                      |                        |
|----------------------|------------------------|
| Personal Phone/Ex. 6 | <b><u>(mobile)</u></b> |
|----------------------|------------------------|

**To:** Grant, Annalee[Annalee.Grant@spglobal.com]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 3:19:49 PM  
**Subject:** Re: EPA transition update

In a meeting now.

Sent from my iPhone

On Jan 30, 2017, at 9:57 AM, Grant, Annalee <[Annalee.Grant@spglobal.com](mailto:Annalee.Grant@spglobal.com)> wrote:

Hi Doug, this is Annalee Grant from S&P Global. I'm a reporter covering the U.S. EPA focusing on energy policy and the power industry. I am hoping you might be available this morning for an interview to discuss the EPA transition and provide an update on that process. I'd like to know the status of your review of agency actions, and what we can expect to see from the agency as you await the new administrator.

Please let me know if there's a time that works for you. I'm available today at 571-814-2081. I appreciate any time you can offer me today.

Thanks!

Annalee Grant

S&P Global Market Intelligence  
EPA Reporter  
Arlington, Va. [571-814-2081](tel:571-814-2081)  
Website: [SNL.com](http://SNL.com)  
Twitter: [@AGKootenay](https://twitter.com/AGKootenay)  
[Get our Daily Energy News Brief](#)

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**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 2:30:53 PM  
**Subject:** Benton letter Document1  
[Document1.docx](#)

You have the page changes so I have made any of those. Let me know if I sent the right document.

dje

From: Don Benton  
Senior White House Advisor  
TO: EPA Team

After one week on the job leading the transition team I would like to say thank you to the many career professionals here at the EPA who have been working me, Charles Munoz, and the transition team. I have served many roles in my life in both the private sector and in government. I want the EPA team to know that the people I have worked with here are among the best I have ever had the opportunity to work with.

We all know that political transitions are never easy. Carter to Reagan in 1981, Bush to Clinton in 1993, Clinton to Bush and then Bush to Obama have all been unique and possessed their own challenges. We are now are working our way through the transition from President Obama to President Trump.

Due to the nature of the work that is done here at EPA we are falling under a greater media microscope than most agencies.

I, like many of you, am surprised each morning by what I read in the newspaper and see on the TV news shows because much of what we see is just not accurate.

In addition, many news outlets are quoting individuals who are no longer serving on the EPA transition team. I am not able to validate or reject the statements made by these individuals since I am not directly working with them and I have not seen many of the documents referenced in the stories.

I cannot tell you today what the final decisions from the White House, from our new Administrator, and from the Congress will be. I can tell you that despite what you read about and see on TV, no final decisions have been made with regards to the EPA.

Changes will come and when they do we will have to work together to implement them.

One thing I am certain of is that the transition team is committed to working with you carry out the core mission of the EPA—To Protect Human Health and the Enviornment.

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 2:29:31 PM  
**Subject:** Statement on Science vetting

Response to media requests on science at the EPA

Several articles last week reported that political appointees at the EPA would be vetting all scientific research and data before it is made public. These articles are inaccurate.

The context of the discussion that lead to the articles was about changes to the EPA web page and the process that is currently under way to refresh the web page.

As most people can understand, the new Administration will make changes to the EPA web page just as previous administrations have done.

At this point we cannot say what the final changes will look like because we are currently going through the review.

Claims that science and research will be deleted are simply not true. Federal law prohibits these types of mass activities.

Please contact EPA Transition Team Communications Lead Doug Ericksen if you have additional questions about this issue.

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 2:27:24 PM  
**Subject:** RE: If convenient

Electronic file of what?

dje

-----Original Message-----

From: Grantham, Nancy  
Sent: Monday, January 30, 2017 9:26 AM  
To: Ericksen, Doug <ericksen.doug@epa.gov>  
Subject: If convenient

Can you send me the electronic file? No worries if an issue thx ng

Sent from my iPhone

**To:** jessica.e.ditto@ptt.gov[jessica.e.ditto@ptt.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 2:14:16 PM  
**Subject:** Doug Ericksen at EPA Transition

Jessica,

Please contact me via phone when you have time to discuss EPA Transition and communications.

I am serving as the communications lead for the Transition Team.

Doug Ericksen

Personal Phone/Ex. 6

Or

Personal Phone/Ex. 6



**To:** Pirzadeh, Michelle[Pirzadeh.Michelle@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 2:10:42 PM  
**Subject:** Doug Ericksen

Michelle,

Good morning. This is Doug Ericksen. I am emailing you from the DC home office.

I will be in Seattle working out of the regional office on Thursday and Friday.

I am looking forward to meeting you. I am not sure what the exact time will be for arrival on Thursday.

My cell number is Personal Phone/Ex. 6

Doug Ericksen

EPA Transition Team

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 12:52:17 PM  
**Subject:** RE: Monday Morning

I am in my office here in DC.

Don't leave for the West Coast until Tuesday night after work.

ericksen

**From:** Grantham, Nancy  
**Sent:** Monday, January 30, 2017 7:42 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Benton, Donald <benton.donald@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>  
**Subject:** RE: Monday Morning

Good morning to you as well – and hope your travels and weekend went well.

I have not heard about the comms with Members of Congress issue – in fact our HQ intergovernmental and regional staff were been talking with Members and Governors' office all last week – in coordination with HQ .. and Layne – as would be our usual practice.

I think you are still in WA – Region 10 this week – so just let me know a good time to call you – have a couple of other questions/issues to discuss.

Thanks ng

**Nancy Grantham**

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone/Ex. 6 (mobile)

**From:** Ericksen, Doug

**Sent:** Monday, January 30, 2017 7:39 AM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>

**Cc:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>

**Subject:** Monday Morning

Nancy,

Good morning.

I hope you had a weekend and a good weekend at that.

I have received a couple of reports that Members of Congress have been told that EPA officials cannot communicate with them. Have you heard this?

If you have we need to make sure that it is clear that the temporary pause on communication with the media and through social media does not apply to members of Congress, Governors, etc.

Lets talk about this one this morning.

ericksen

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**Cc:** Benton, Donald[benton.donald@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 12:38:31 PM  
**Subject:** Monday Morning

Nancy,

Good morning.

I hope you had a weekend and a good weekend at that.

I have received a couple of reports that Members of Congress have been told that EPA officials cannot communicate with them. Have you heard this?

If you have we need to make sure that it is clear that the temporary pause on communication with the media and through social media does not apply to members of Congress, Governors, etc.

Lets talk about this one this morning.

ericksen

**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 12:35:41 PM  
**Subject:** RE: Ericksen

Thank you. I needed to sign in from my private email not my new epa one.

ericksen

**From:** Fugh, Justina  
**Sent:** Friday, January 27, 2017 11:45 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Ericksen

Hi there,

I'm sure it's not you. I'm going to ask Dan Fort, the master of INTEGRITY, to contact you on Monday. He will figure out why the wretched thing is messing you up.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Ericksen, Doug  
**Sent:** Friday, January 27, 2017 10:13 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Ericksen

Justina.

I am sure that this is a stupid question on my end, but when I log in I cannot find the spot to go to fill out a new form 278.

Doug

**From:** Fugh, Justina  
**Sent:** Friday, January 27, 2017 10:07 AM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** RE: Ericksen

Hi,

Can you see this screen? If so, click on the yellow "Login to Integrity (using Max.gov)" box. Or we can meet or use Skype for Business for me to help you.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772

Not Registered in *Integrity*? Contact your agency ethics official if you are not registered in *Integrity*.

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS  
★  
Preventing Conflicts of Interest  
in the Executive Branch

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**INTEGRITY**.gov  
Play your part.

Login to Integrity (using MAX.gov)

What is MAX.gov?

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**From:** Ericksen, Doug  
**Sent:** Friday, January 27, 2017 9:37 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Ericksen

Justina,

I am work on my financial documents at the Integrity site but I cannot find the area to enter the new information. Is that done online or do I have to download something to fill out?

Doug Ericksen



**To:** Davis, Patrick[davis.patrick@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Mon 1/30/2017 12:34:48 PM  
**Subject:** RE: A GOP regulatory game changer, writes @KimStrassel

Always fun.

See you later today.

Ericksen

-----Original Message-----

From: Davis, Patrick  
Sent: Sunday, January 29, 2017 6:40 PM  
To: Kreutzer, David <kreutzer.david@epa.gov>  
Cc: Schnare, David <schnare.david@epa.gov>; Benton, Donald <benton.donald@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Bangerter, Layne <bangerter.layne@epa.gov>; Sugiyama, George <sugiyama.george@epa.gov>  
Subject: Re: A GOP regulatory game changer, writes @KimStrassel

Hi team,

My flight cancelled from Colorado tonight. I will catch the first flight on Monday morning. In the office by 3 pm.

Thx,  
Patrick Davis

Sent from my iPhone

> On Jan 27, 2017, at 2:46 PM, Kreutzer, David <kreutzer.david@epa.gov> wrote:  
>  
> Here's the WSJ story on the CRA.  
>  
> <http://www.wsj.com/articles/a-gop-regulatory-game-changer-1485478085>  
>  
>  
> Sent from my iPhone

**To:** Davenport, Coral[coral.davenport@nytimes.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 10:06:51 PM  
**Subject:** Re: debuting new EPA website

Happy to talk. Not to many more details to share as of yet.

Will be working this weekend.

Ericksen

Sent from my iPhone

On Jan 27, 2017, at 5:00 PM, Davenport, Coral <[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

Timing? Content? Cld we get an exclusive preview? Cld you chat about it this weekend or Monday?

thanks so much,

cd

--

Coral Davenport  
Energy and Environment Correspondent  
The New York Times  
Washington Bureau  
1627 I St. NW, Suite 700  
Washington, DC 20006  
[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)  
O 202-862-0359  
C Personal Phone/Ex. 6  
Twitter @CoralMDavenport

**To:** timothy.gardner@thomsonreuters.com[timothy.gardner@thomsonreuters.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 9:30:44 PM  
**Subject:** Re: Hi Doug, Tim @Reuters, sorry I missed your call

There is no set date for web page refresh.

Sent from my iPhone

On Jan 27, 2017, at 4:19 PM, "[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)"  
<[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)> wrote:

Thanks, last one, can you confirm that the EPA website is going to be updated next week?

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Friday, January 27, 2017 4:13 PM  
**To:** Gardner, Timothy (Reuters News)  
**Subject:** Re: Hi Doug, Tim @Reuters, sorry I missed your call

No projects are delayed or cut

None

Not sure how much more clear I can be.

Sent from my iPhone

On Jan 27, 2017, at 4:01 PM, "[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)"  
<[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)> wrote:

Thanks Doug,

Can you be a little more specific what it means it was cleared? Lawmakers say they still don't have clarity on that and there was the release from the five senators including Markey, Carper and Gillebrand on Thursday, so from my understanding they still think it's in place.

On the climate page, have you seen concerns from the oil and gas industry about efforts to change content, or freshen up?

Thanks, T

**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Friday, January 27, 2017 3:55 PM  
**To:** Gardner, Timothy (Reuters News)  
**Subject:** RE: Hi Doug, Tim @Reuters, sorry I missed your call

\$3.8 billion of the \$3.9 billion was cleared on Wednesday night. The remainder should be cleared today. There might be a very small number left for Monday, but not likely.

Doug Ericksen

**From:** [timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)  
[<mailto:timothy.gardner@thomsonreuters.com>]  
**Sent:** Friday, January 27, 2017 3:52 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Hi Doug, Tim @Reuters, sorry I missed your call

Sorry I missed your call, was in a meeting with my editor.

Wanted to find out about whether the freeze on contracts and grants is being lifted today nor if there is a new deadline.

I know there are concerns in Congress and in the states with major pollution remediation efforts. I know the \$100 million to Flint from Congress is fine, but they are still very concerned about

Testing and expertise in remediation.

Also, is there clarity on whether there is still an order for staff not to speak to reporters or publish press releases or things on social media?

I'm at 202-898-8360

Best, Tim

Timothy Gardner

Correspondent

Reuters

1333 H St. 4th Fl

Washington, D.C. 20005

+1 202-898-8360 (w)

Personal Phone/Ex. 6 (c)

@timogard

**To:** timothy.gardner@thomsonreuters.com[timothy.gardner@thomsonreuters.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 9:13:07 PM  
**Subject:** Re: Hi Doug, Tim @Reuters, sorry I missed your call

No projects are delayed or cut  
None  
Not sure how much more clear I can be.

Sent from my iPhone

On Jan 27, 2017, at 4:01 PM, "[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)"  
<[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)> wrote:

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**From:** Ericksen, Doug [<mailto:ericksen.doug@epa.gov>]  
**Sent:** Friday, January 27, 2017 3:55 PM  
**To:** Gardner, Timothy (Reuters News)  
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Doug Ericksen

**From:** [timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)  
[mailto:[timothy.gardner@thomsonreuters.com](mailto:timothy.gardner@thomsonreuters.com)]  
**Sent:** Friday, January 27, 2017 3:52 PM  
**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** Hi Doug, Tim @Reuters, sorry I missed your call

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I'm at 202-898-8360

Best, Tim

Timothy Gardner

Correspondent

Reuters

1333 H St. 4th Fl

Washington, D.C. 20005

+1 202-898-8360 (w)

**Personal Phone/Ex. 6** (c)

@timogard



**To:** timothy.gardner@thomsonreuters.com[timothy.gardner@thomsonreuters.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 8:54:46 PM  
**Subject:** RE: Hi Doug, Tim @Reuters, sorry I missed your call

\$3.8 billion of the \$3.9 billion was cleared on Wednesday night. The remainder should be cleared today. There might be a very small number left for Monday, but not likely.

Doug Ericksen

**From:** timothy.gardner@thomsonreuters.com [mailto:timothy.gardner@thomsonreuters.com]  
**Sent:** Friday, January 27, 2017 3:52 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Hi Doug, Tim @Reuters, sorry I missed your call

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I'm at 202-898-8360

Best, Tim

Timothy Gardner

Correspondent

Reuters

1333 H St. 4th Fl

Washington, D.C. 20005

+1 202-898-8360 (w)

**Personal Phone/Ex. 6** (c)

@timogard

**To:** Benton, Donald[benton.donald@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Schnare, David[schnare.david@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 8:37:34 PM  
**Subject:** FW: Reporter Inquiry - Clean Power Plan Petition for Review Appeal  
[~WRD000.jpg](#)

**From:** Michael Phillis [mailto:michael.phillis@law360.com]  
**Sent:** Friday, January 27, 2017 3:35 PM  
**To:** ericksen.doug@epamail.epa.gov  
**Subject:** Reporter Inquiry - Clean Power Plan Petition for Review Appeal

Hello,

I'm a reporter with Law360. This week, a number of states asked the D.C. Circuit to consider overturning EPA's denials of their petition to review the Clean Power Plan.

I'm writing to ask for your thoughts on the actions the states are taking? Do you support it and will the EPA defend its rule before the D.C. Circuit?

Thank you in advance for your time.

Sincerely,

Michael Phillis

Reporter, Law360

[michael.phillis@law360.com](mailto:michael.phillis@law360.com)

646.350.1399

Legal News &amp; Data

111 W. 19th Street, 5th Floor

New York, NY 10011

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 8:03:50 PM  
**Subject:** RE: Grants and Contracts Statement

Yes. Ok.

ericksen

**From:** Grantham, Nancy  
**Sent:** Friday, January 27, 2017 3:00 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FW: Grants and Contracts Statement

Are you okay with the statement?

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6** (mobile)

**From:** Grantham, Nancy  
**Sent:** Friday, January 27, 2017 2:03 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Grants and Contracts Statement

Hi Doug,

There is some confusion continuing on this matter, so we wanted to have a statement to clarify – are you okay with the one below? thanks ng

EPA staff have been reviewing grants and contracts information with the incoming transition team. As of Thursday, EPA has completed its review of 77 out of a total of its 88 grant programs. Already reviewed grants are proceeding normally and nothing has been delayed. This includes environmental program grants and state revolving loan fund grants to the states and tribes. We are working to quickly address issues related to other categories of grants.

Further review is ongoing for 11 remaining grant programs and that review is expected to conclude next week. There are no actions delayed as a result of this continuing review.

Similarly, review of contracts is nearly complete, and very few contracts are still under review. In general, EPA is moving forward with contracts supporting agency infrastructure (e.g., facilities, IT, systems), implementation of our core programs and science.

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

Personal Phone/Ex. 6 **(mobile)**

**From:** Ericksen, Doug  
**Location:** Alm Conference Room  
**Importance:** Normal  
**Subject:** Accepted: Senior Staff Meeting  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Mon 1/30/2017 6:00:00 PM  
**End Date/Time:** Mon 1/30/2017 7:00:00 PM

**From:** Ericksen, Doug  
**Location:** 3412 WJC-N  
**Importance:** Normal  
**Subject:** Tentative: Records Management  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Thur 2/2/2017 4:00:00 PM  
**End Date/Time:** Thur 2/2/2017 5:00:00 PM



**To:** Anthony Schick[aschick@opb.org]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 6:47:55 PM  
**Subject:** Re: Questions about EPA communications/grant freeze [WARNING: DKIM validation failed]

Sent from my iPhone

On Jan 27, 2017, at 12:40 PM, Anthony Schick <[aschick@opb.org](mailto:aschick@opb.org)> wrote:

Doug,

Tony Schick from Oregon Public Broadcasting here. I'm on deadline for a story about the EPA today and am looking for responses to the following questions. A taped phone interview is preferable for radio but email answers will suffice.

1. I've read that the freeze on EPA grants is finished and grants have resumed. Can you confirm that?

Yes

2. Should states expect a reduction in EPA grant funding in the future?

I am not aware of any plans to do that

3. Is there still a freeze on EPA communications? If so, why? Is this normal process?

There is no freeze. There is a temporary pause on some types of communications while we transition.

4. Will EPA papers and reports be subject to review from political staff indefinitely? Does that violate the EPA's policy on scientific integrity?

They are not currently.

5. Are there plans for staff reductions at EPA? If so, is there a target reduction size?

Not that I am aware of.

6. Do you think EPA programs need to be scaled back? If so, why?

Not a question for me to answer at this point in the transition

Thanks for your time,

Tony

--

Tony Schick

Reporter, Oregon Public Broadcasting

Desk: 503-293-1931 | Cell: Personal Phone/Ex. 6

email: [aschick@opb.org](mailto:aschick@opb.org) | twitter: @tonyvschick

**To:** Bulletin Intelligence[epa@bulletinintelligence.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 6:14:44 PM  
**Subject:** Re: EPA - Midday Update for Friday, January 27, 2017

Good to go

Sent from my iPhone

On Jan 27, 2017, at 12:41 PM, Bulletin Intelligence <[epa@bulletinintelligence.com](mailto:epa@bulletinintelligence.com)> wrote:

Mobile version and searchable archives available at [epa.bulletinintelligence.com](http://epa.bulletinintelligence.com).

**TO: ADMINISTRATOR AND SENIOR EXECUTIVES**  
**DATE: FRIDAY, JANUARY 27, 2017 1:00 PM EST**

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### **Off The Wires**

#### **Economy Slows Unexpectedly In Fourth Quarter.**

The Commerce Department reports today that the gross domestic product grew at an annual rate of 1.9 percent in the fourth quarter of 2016 as the trade deficit weighed on the economy. Economists had expected an increase of 2.2 percent. GDP grew at a rate of 3.5 percent in the third quarter.

### **Durable Goods Orders Down Unexpectedly In December.**

The Commerce Department reports today that durable goods orders fell 0.4 percent in December on weakness in the volatile category of defense aircraft. Economists had expected an increase of 2.6 percent. Orders for nondefense goods excluding aircraft, viewed as a proxy for business investment plans were up 0.8 percent for the month. Economists had expected a 0.2 percent increase.

### **Consumer Confidence Reaches Highest Level Since 2004 On Rising Expectations.**

The University of Michigan reports today that its index of consumer sentiment rose from 98.2 in December to 98.5 in January, the highest level in 13 years. Economists had expected the index to come in at 98.1. In a statement accompanying the release, University of Michigan economist Richard Curtin said, "Consumers expressed a higher level of confidence January than any other time in the last dozen years. The post-election surge in confidence was driven by a more optimistic outlook for the economy and job growth during the year ahead as well as more favorable economic prospects over the next five years." However, Curtin noted, "Overall, the post-election surge in consumer confidence was based on political promises, and not, as yet, on economic outcomes. Moreover, over the past half century the surveys have never recorded as dominant an impact of partisanship on economic expectations."

## **In The White House And Around Town**

### **Trump To Sign Immigration, National Security Executive Orders Today.**

White House spokesman Sean Spicer said today that President Trump this afternoon will sign executive actions on refugees and immigration, military readiness, and the National Security Council during a visit to the Pentagon. The immigration executive order will temporarily stop refugee asylum programs and bar entry from some majority-Muslim nations. At the Pentagon, the President will also meet with the Joint Chiefs of Staff and attend Defense Secretary James Mattis' ceremonial swearing in.

**Trump Meeting With UK Prime Minister May.** President Trump is also meeting with British Prime Minister Theresa May and will hold a joint press conference at 1 pm. The two leaders exchanged pleasantries at a brief photo-op at the White House.

### **Brookings Fellow: Trump Action On Refugees Could Upset International System.**

The international refugee system, constructed in the aftermath of World War II, "has enabled refugees in every region to find safety in other countries." President Trump's expected action to suspend all refugee resettlement to the US "threatens America's important role in a carefully-constructed international system," writes Elizabeth Ferris, senior fellow at the Brookings Institution. "This system was intended not only to protect the rights of those forced to flee violence, but also to prevent refugees from threatening international peace and security," she notes. It is a system that has proven "remarkably adaptable over the past six decades," however. "Some governments refused to allow refugees to enter their countries, or forcibly returned refugees to countries where their lives were in danger," notes Ferris. "Financial support to countries hosting refugees was never sufficient to cover their costs." That said, "Somehow, frayed at the edges as it is, the system has continued to meet the needs of both refugees and the international community." Now, with the implementation of an "America First" policy, "Why should Lebanon or Tanzania or a hundred other countries continue to receive refugees?" Ferris asked. "After all, over 85 percent of the world's

refugees are hosted by developing countries with far fewer resources than the United States.”

### **Trump Targets Mexico On Trade Again.**

President Trump again targeted Mexico on trade today, saying the US’ southern neighbor has taken advantage of the US. In a tweet sent from both his @POTUS and @realDonaldTrump handles, Trump said, “Mexico has taken advantage of the US for long enough. Massive trade deficits & little help on the very weak border must change, NOW!”

**Trump, Pena Nieto Have Hour-Long Phone Call.** Administration officials say President Trump today held an hour-long phone call with Mexican President Enrique Pena Nieto.

### **Conway Says Import Tax Could Fund Mexico Border Wall.**

On CBS News “This Morning,” presidential counselor Kellyanne Conway discussed President Trump’s pledge that Mexico would pay for his planned border wall, saying one way could be to impose a tax on imports from Mexico. Conway said, “As Sean Spicer, Reince Priebus said yesterday, two senior top officials here, that one possibility is to tax the imports from Mexico. Anywhere from five to 20 percent, that’s one option on the table. As we discussed last week together, Charlie, it could be congressional funding that’s then reimbursed by Mexico, but we have 60 billion dollar trade deficit every year with Mexico, America knows this. NAFTA was a bad idea from the beginning for Americans and for the America worker. Donald Trump has promised to put America first and that won’t change. And it certainly won’t change with respect to our relationship with Mexico.”

Asked if that would not result in retaliatory action by Mexico that would cost the US jobs, Conway said, “Possibly – they can do what they want, Charlie, but here’s the fact, the number one source of income into Mexico are Mexicans working here and sending the money back. So that’s why repatriation of funds is also a very big piece of President Trump’s vision for this country and how to really balance out and make more fair to America, Americans, American workers, our interest and allies. All these trade deals that have really imbalanced. People – we just have to stop having people and drugs pour over the border. We are a sovereign nation that spends billions of dollars trying to help other countries protect its borders. It’s high time we do the same for America.”

Asked why Mexico should pay for the wall, Conway said, “Well, they don’t want it, Gayle, because they want to continue to allow people and I assume drugs – since they’re not doing much to stop that – pouring over our borders. We have to look at America. Mexico should pay for that wall because they off – they get an awful lot from this country, through NAFTA and through other monetary disbursements, they get a ton of money from us, \$60 billion dollar trade deficit as the president noted.”

On Fox News “Fox & Friends” this morning, Conway said the US-Mexico relationship has “not imploded. This one meeting has been canceled, and that was a mutual cancellation. President Trump mentioned it first, of course, 9:24 am yesterday morning, basically saying that, hey, if he is not going to come here to discuss funding the wall, maybe why shouldn’t have the meeting now.”

### **Cardin Says Trump Proposals On Mexico Wall, Trade Will Hurt US Economy.**

On MSNBC’s “Morning Joe” today, Senate Foreign Relations Committee ranking Democrat Ben Cardin (D) said, “We need Mexico for immigration policies to work in our country. We need Mexico to stop illegal trafficking of drugs. Putting up this wall will not help in regards to immigration. His proposals on how to pay for it will hurt working families here in the United States and will hurt our economy. So, it’s just dangerous what he is suggesting in regards to our southern friend.”

### **Fox: US Produces “Mediocre” Cars.**

Former Mexican President Vicente Fox today said on CNBC’s “Squawk Box” that US car manufacturers were not competitive because they manufactured “mediocre” products. Fox said, “You produce cars in the United States at such a high price and such a mediocre, mediocre quality that you cannot compete, you cannot compete manufacturing in the United States. ... That’s why Ford, Chrysler, General Motors went broke.”

### **Schumer To Oppose Tillerson Nomination For State.**

Senate Minority Leader Charles Schumer announced today that he would oppose Rex Tillerson’s nomination as Secretary of State. In a statement, Schumer said, “Just one week into his administration, President Trump is turning our foreign policy into shambles. His nominee for Secretary of State, Rex Tillerson, a man who will not lift a finger to fight climate change and will not rule out a Muslim registry would make it even worse.” Schumer concluded, “When I met with Mr. Tillerson, I came away more concerned about his and the President’s plans and unimpressed with his grasp on foreign policy. I will oppose his nomination, and I encourage the full Senate to do the same.”

### **Trump Touts Pence’s Participation In March For Life.**

President Trump today highlighted Vice President Pence’s participation in the March For Life in Washington today. Pence is the highest level Administration official to ever address the march. Via his @POTUS and @realDonaldTrump handles, Trump tweeted, “The #MarchForLife is so important. To all of you marching --- you have my full support!” And, “.@VP Mike Pence will be speaking at today’s #MarchForLife – You have our full support!”

### **Trump Touts Election Fraud Reporting App.**

President Trump today touted Gregg Phillips, the developer of VoteStand, which bills itself as “America’s first online election fraud reporting app.” From his @realDonaldTrump handle, Trump tweeted, “Look forward to seeing final results of VoteStand. Gregg Phillips and crew say at least 3,000,000 votes were illegal. We must do better!” According to its website, “VoteStand provides you the online tools and support you need to quickly report suspected election illegalities as they happen.”

**VoteStand Founder Declines To Provide Proof On CNN.** On CNN’s “New Day,” Gregg Phillips of VoteStand discussed his tweets claiming that he had evidence of three million illegal votes in the 2016 election. Phillips said, “We began this effort years and years ago. We developed a data base of 189 million voting records. We augmented that with everything from geocoding to all sorts of identifying information and algorithms and verify identity and verify citizenship and all the other factors that go into a legal registered voter.” Phillips engaged in a circuitous exchange with anchor Chris Cuomo, who asked if he has “the proof.” Phillips said, “Yes.” Asked if he would provide it, Phillips said, “Yes.” Asked if he would give it to Cuomo now, Phillips said, “No.”

### **Trump Touts Border Wall, Citing Israel’s Example.**

President Trump today defended his call for a border wall, tweeting from his @POTUS handle, “People want protection and a wall protects. All you have to do is ask Israel...” The tweet included an embedded clip from his interview with Fox News’ Sean Hannity.

### **Conway Says Trump Will Nominate Pro-Life Supreme Court Justice.**

On CBS News "This Morning" today, presidential counselor Kellyanne Conway said President Trump would announce a pro-life Supreme Court nominee this week, but did not specify that the nominee would support repealing Roe vs. Wade. Conway said, "Donald Trump promised, as a candidate, in that unbelievable, impassioned defense of life on that October 19th debate against Hillary Clinton, that he would appoint pro-life justices to the United States Supreme Court."

Conway added, "I'm proud to stand and march with the – the pro-life people today. We're making history, and the fact that Vice President Pence will be the first vice president to ever address the march. This is a pro-life Administration."

### **Conway Won't Say Who Initiated Planned Trump-Putin Phone Call.**

Asked on CBS News "This Morning" about President Trump's planned phone call with Russian President Vladimir Putin, presidential counselor Kellyanne Conway said, "As you can see, beginning with Prime Minister May's visit today to the White House, Gayle, the President continues to talk to leaders of foreign nations. That's what presidents do. I assume they will discuss the interest of their respective countries, how to come together and work together on issues where you can find common ground and where these two – where these two nations can maybe defeat radical Islamic terrorism. I mean, that's a growing and nagging concern in this country."

Asked who initiated the call, Conway said, "I – I won't divulge that, but it also doesn't matter in – in that – we have to have leaders talking to each other. We have to forge better relationships around the globe."

On Fox News "Fox & Friends" this morning, Conway said Obama Administration sanctions on Russia would be on the table for their call. Conway said, "All of that is under consideration. And certainly in addition to improving relations with different foreign leaders and their nations around the globe. If Vladimir Putin wants to join with the US to have a serious conversation about how to defeat radical Islamic terrorism, that's what we call them around this White House. ... If another nation that has considerable resources wishes to join together with the United States of America to try to defeat and eradicate radical Islamic terrorism we are listening. It's very important to at least have this conversation."

**Putin Spokesman: Call To Focus On "Main Parameters" Of US-Russia Relations.** Dmitry Peskov, a spokesman for Russian President Vladimir Putin, said Putin wanted to congratulate Trump on his inauguration, and that the two would "exchange views about main parameters of current bilateral relations."

### **Cardin Worried Trump Will Make "Unilateral Concessions" To Putin.**

On MSNBC's "Morning Joe" today, Senate Foreign Relations Committee ranking Democrat Ben Cardin (D) discussed President Trump's planned phone call with Russian President Vladimir Putin, saying he was concerned that lifting US sanctions could be on the table. Cardin said, "We are extremely concerned that there might be unilateral concessions that are made. It's very interesting. Our traditional allies in NATO, the president doesn't have nice things to say. In regards to Mexico, he doesn't have nice things to say. But a country that attacked us, Russia that attacked our free election system, now we're talking about easing up sanctions where they had invaded Ukraine, where we're concerned that when you reward that type of conduct, all you are going to see is further Russian aggression. This really concerns all of us."

"Yes, we don't know." Secretary of State Designate Rex Tillerson was not strong at all in regards to maintaining or strengthening sanctions against Russia. These are concerns that we

have here. Mr. Tillerson has done a lot of business with Russia. We are concerned that he's going to be more interested in the business relationships than promoting American values."

### **Strategic Command Leader Says Preparation For War Key To Deterring Threats To Space Capabilities.**

Space capabilities have created a revolution in military affairs, in which information is the key to the battlespace, Gen. John Hyten, head of US Strategic Command, told an audience at Stanford University. The most important element of space, Hyten said, is a "geosynchronous orbit," more than 22,300 miles above the planet where satellites relay key information. "That's where we do our special communications from national command-and-control communications" as well as "our nuclear business," he said. "If somebody wants to threaten that and if they do something to geosynchronous orbit because of where that orbit is, the debris that's created will be there forever." As a result, "We have to deter bad behavior in space, and we have to deter conflict in space," Hyten said, adding that adversaries like China and Russia are currently building weapons in low-earth orbit and in GEO that will deploy from the ground to these areas of space. "In the not-too-distant future, they will be able to use that capability to threaten every spacecraft we have in space," he added. "We have to prevent that, and the best way to prevent that is to be prepared for war. So the United States is going to do that, and we're going to make sure that everybody knows we're prepared for war."

### **Iraqi Forces, US-Led Coalition Targeting Fleeing ISIL Fighters In Mosul.**

Iraq forces have cleared the eastern part of Mosul, the country's second-largest city after Baghdad, and are now focused on targeting remaining ISIL fighters as they attempt to flee the city, say top US military officials. In an "indication of their desperation" to get to ISIL-controlled territory, terrorists are trying to drive their vehicles through a shallow area of the Tigris River, said Capt. Jeff Davis, Pentagon spokesman. "Some vehicles are making it, some are not," Davis said, noting that ISIL had previously destroyed the bridges linking the two areas. The US-led coalition has carried out more than 50 airstrikes over the past week in Syria. "These strikes have destroyed more than 100 [ISIL] vehicles, more than 300 fortifications, degrading ISIL's ability to maneuver and defend themselves and the occupied city [of Raqqa] from advancing Syrian Democratic Forces," he added.

### **Conway Defends Bannon's Characterization Of Media.**

On Fox News "Fox & Friends" this morning, presidential counselor Kellyanne Conway defended Steve Bannon's characterization of the media and said it was dangerous for media to say President Trump has lied "without evidence but also without context." Conway said, "So what my colleague Steve Bannon is saying there is that Donald Trump understood America in a way many did not including those charged with informing America and educating America about the news, not their opinion. There is an awful lot of opining going on by individuals who call themselves reporters."

Asked about newspapers that have characterized some of Trump's statements as "lies," Conway agreed that reporters did not treat President Obama that way, "Even when he did. You can keep your job or if you like can you keep your insurance plan. We have 57 states in the nation. There were plenty of occasions to call out former presidents on their falsehoods. And that was done very sparingly and not so strategically. I think it is dangerous to the democracy and for those around the world watching. What we do and how this President is covered in his early days. Very dangerous to just throw in adjectives like that. Either without evidence but also without context."

### **Trump Announces Manufacturing Jobs Initiative.**



The White House press office today released an information sheet on President Trump's announcement that he is launching a Manufacturing Jobs Initiative, a component of his "overall job creation agenda." The White House says the President will "be meeting with some of the world's most successful and creative business leaders to share their experiences and gain their insights. President Trump plans to continually seek information and perspectives from a diverse range of business leaders, including those listed below and others, on how best to promote job growth and get Americans back to work again."

The White House notes that President Trump thanked Dow Chemical CEO Andrew Liveris, who organized the first series of the meetings, for his "ongoing efforts in this regard." The initial list of business leaders assisting the initiative includes: Andrew Liveris, The Dow Chemical Company; Bill Brown, Harris Corporation; Michael Dell, Dell Technologies; John Ferriola, Nucor Corporation; Jeff Fettig, Whirlpool Corporation; Mark Fields, Ford Motor Company; Ken Frazier, Merck & Co., Inc.; Alex Gorsky, Johnson & Johnson; Greg Hayes, United Technologies Corp.; Marilynn Hewson, Lockheed Martin Corporation; Jeff Immelt, General Electric; Jim Kamsickas, Dana Inc.; Klaus Kleinfeld, Arconic; Brian Krzanich, Intel Corporation; Rich Kyle, The Timken Company; Thea Lee, AFL-CIO; Mario Longhi, U.S. Steel; Denise Morrison, Campbell Soup Company; Dennis Muilenburg, Boeing; Elon Musk, Tesla; Doug Oberhelman, Caterpillar; Scott Paul, Alliance for American Manufacturing; Kevin Plank, Under Armour; Mike Polk, Newell Brands; Mark Sutton, International Paper; Inge Thulin, 3M; Richard Tumka, AFL-CIO; and Wendell Weeks, Corning.

The White House adds that the attendees "may or may not change from session to session, but the specific agenda subjects will likely change because of the importance of this issue to the American economy and its workers. No consensus advice or recommendations resulting from group deliberations or interaction is expected or will be solicited."

### **Trump Commemorates Holocaust Remembrance Day.**

The White House today released a statement from President Trump on International Holocaust Remembrance Day. Trump says, "It is with a heavy heart and somber mind that we remember and honor the victims, survivors, heroes of the Holocaust. It is impossible to fully fathom the depravity and horror inflicted on innocent people by Nazi terror.

"Yet, we know that in the darkest hours of humanity, light shines the brightest. As we remember those who died, we are deeply grateful to those who risked their lives to save the innocent.

"In the name of the perished, I pledge to do everything in my power throughout my Presidency, and my life, to ensure that the forces of evil never again defeat the powers of good. Together, we will make love and tolerance prevalent throughout the world."

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**From:** Ericksen, Doug  
**Location:** 3402 WJC-N  
**Importance:** Normal  
**Subject:** Accepted: Climate Comm. Plan  
**Categories:** Record Saved - Shared  
**Start Date/Time:** Mon 1/30/2017 4:00:00 PM  
**End Date/Time:** Mon 1/30/2017 5:00:00 PM

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 3:26:02 PM  
**Subject:** RE: Integrity.gov: Report Pending Action

202-564-3131

**From:** Fort, Daniel  
**Sent:** Friday, January 27, 2017 10:25 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Integrity.gov: Report Pending Action

What is you phone number.

Sent from my iPhone

On Jan 27, 2017, at 10:19 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Daniel,

I am trying to figure out how to enter the new information for a form 278. I cannot find it on the page when I log in.

Can you help point me in the right direction to get this started.

Doug Ericksen

**From:** Fort, Daniel  
**Sent:** Friday, January 27, 2017 10:18 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Fwd: [Integrity.gov](http://Integrity.gov): Report Pending Action

I received this notification from Integrity. You submitted a periodic financial disclosure report, not the new entrant report. Did you get another notification on your private email?

Sent from my iPhone

Begin forwarded message:

**From:** Integrity.gov <[notifications@integrity.gov](mailto:notifications@integrity.gov)>

**Date:** January 27, 2017 at 9:30:16 AM EST

**To:** <[fort.daniel@epa.gov](mailto:fort.daniel@epa.gov)>

**Subject:** **Integrity.gov: Report Pending Action**

**Reply-To:** [Integrity.gov](mailto:notifications@integrity.gov) Notification <[notifications@integrity.gov](mailto:notifications@integrity.gov)>

A 2017 Periodic Transaction report for Ericksen, Doug is pending your action as Certifying Official. You may access the report by logging into Integrity at <https://integrity.gov>.

**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 3:24:56 PM  
**Subject:** RE: Integrity.gov: Report Pending Action

Yes. 564-3131

**From:** Fort, Daniel  
**Sent:** Friday, January 27, 2017 10:24 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: Integrity.gov: Report Pending Action

That's probably because you are using your EPA email as you user ID. May I call you?

Sent from my iPhone

On Jan 27, 2017, at 10:19 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Daniel,

I am trying to figure out how to enter the new information for a form 278. I cannot find it on the page when I log in.

Can you help point me in the right direction to get this started.

Doug Ericksen

**From:** Fort, Daniel  
**Sent:** Friday, January 27, 2017 10:18 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Fwd: [Integrity.gov](https://www.epa.gov/integrity): Report Pending Action

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**Reply-To:** [Integrity.gov](mailto:notifications@integrity.gov) Notification <[notifications@integrity.gov](mailto:notifications@integrity.gov)>

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**To:** Fort, Daniel[Fort.Daniel@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 3:19:27 PM  
**Subject:** RE: Integrity.gov: Report Pending Action

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**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
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Sent from my iPhone

Begin forwarded message:

**From:** [Integrity.gov <notifications@integrity.gov>](mailto:notifications@integrity.gov)  
**Date:** January 27, 2017 at 9:30:16 AM EST  
**To:** <[fort.daniel@epa.gov](mailto:fort.daniel@epa.gov)>  
**Subject:** **[Integrity.gov](#): Report Pending Action**  
**Reply-To:** [Integrity.gov](mailto:notifications@integrity.gov) Notification <[notifications@integrity.gov](mailto:notifications@integrity.gov)>

A 2017 Periodic Transaction report for Ericksen, Doug is pending your action as Certifying Official. You may access the report by logging into Integrity at <https://integrity.gov>.

**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 3:13:17 PM  
**Subject:** RE: Ericksen

Justina.

I am sure that this is a stupid question on my end, but when I log in I cannot find the spot to go to fill out a new form 278.

Doug

**From:** Fugh, Justina  
**Sent:** Friday, January 27, 2017 10:07 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Ericksen

Hi,

Can you see this screen? If so, click on the yellow "Login to Integrity (using Max.gov)" box. Or we can meet or use Skype for Business for me to help you.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772



Not Registered in *Integrity*? Contact your agency ethics official if you are not registered in *Integrity*.

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS  
★  
Preventing Conflicts of Interest  
in the Executive Branch

**INTEGRITY**.gov  
Play your part.

HOM

**INTEGRITY**.gov  
Play your part.

Login to Integrity (using MAX.gov)

What is MAX.gov?

Status:

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**From:** Ericksen, Doug  
**Sent:** Friday, January 27, 2017 9:37 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Ericksen

Justina,

I am work on my financial documents at the Integrity site but I cannot find the area to enter the new information. Is that done online or do I have to download something to fill out?

Doug Ericksen

**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 2:36:52 PM  
**Subject:** Ericksen

Justina,

I am work on my financial documents at the Integrity site but I cannot find the area to enter the new information. Is that done online or do I have to download something to fill out?

Doug Ericksen

**To:** Integrity.gov Notification[notifications@integrity.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 2:31:57 PM  
**Subject:** RE: Integrity.gov: User Provisioning

How do I start a form 278 on the web site?

Doug Ericksen

-----Original Message-----

From: Integrity.gov [mailto:notifications@integrity.gov]  
Sent: Tuesday, January 24, 2017 11:29 AM  
To: Ericksen, Doug <ericksen.doug@epa.gov>  
Subject: Integrity.gov: User Provisioning

Dear Doug Ericksen,

You are registered to use Integrity, <https://integrity.gov>. It is a secure, online system the U.S. Office of Government Ethics created for electronically filing and reviewing public financial disclosure reports (OGE Form 278, OGE Form 278-T).

Login:

Click "Login to Integrity" on <https://integrity.gov>.

Logging into Integrity requires an active MAX.gov account.

-Current MAX.gov user: click "Login to Integrity" and enter your existing MAX.gov ID and password.

-Never used MAX.gov: click "Login to Integrity." Above the password field, click on the "Forgot, set, or change your password?" link. This will open a dialog box where you enter your email address to receive MAX.gov account activation instructions and to create a password that you will use to access Integrity.

Learn about Integrity here: <https://community.max.gov/x/vQApLg>. (MAX.gov ID and password required.)

For additional guidance about filling out the OGE-278 annual and OGE-278-T periodic financial disclosure form, see: <https://www2.oge.gov/Web/278eGuide.nsf>

**To:** Eric Wolff[ewolff@politico.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 2:02:53 PM  
**Subject:** RE: RIN prices

Eric,

Thank you for the inquiry.

I have no information to share on this topic.

Doug Ericksen

EPA Transition Communications Lead

**From:** Eric Wolff [mailto:ewolff@politico.com]  
**Sent:** Friday, January 27, 2017 8:45 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RIN prices

Hi --

My name is Eric Wolff, I cover the RFS for POLITICO.

As you may have seen, RIN prices are crashing. Some observers think the suspension of the RVO, and the speculation that the EPA will change the ethanol volumes are the reason.

Is changing the RFS volumes in the RVO one of the options EPA is considering?

Thanks,

Eric

--

Eric Wolff

Energy Reporter

POLITICO

760-303-1927

[ewolff@politico.com](mailto:ewolff@politico.com)

@ericwolff

**To:** Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 2:01:27 PM  
**Subject:** RE: Ericksen

Thank you

**From:** Munoz, Charles  
**Sent:** Friday, January 27, 2017 8:49 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** RE: Ericksen

GS15

**From:** Ericksen, Doug  
**Sent:** Friday, January 27, 2017 8:48 AM  
**To:** Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>  
**Subject:** Ericksen

Charles,

Filling out some paperwork.

What is my pay grade/schedule called?

ericksen

**To:** Fugh, Justina[Fugh.Justina@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 1:57:42 PM  
**Subject:** RE: Ethics -- next steps now that you are an EPA employee

Justina,

I currently serve as a temporary special advisor to the administrator with the EPA. I am the communications lead for the Transition Team. I am also a sitting State Senator in Washington State and I wish to continue to serve as State Senator while a temporary employee at the EPA.

Here are the answers to the questions you provided.

- your name, EPA title and grade (meaning your type of appointment and pay grade);

Special Advisor to the Administrator and Transition Team Communications Lead. Temporary Appointment. GS15

- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;

State Senator for the Washington State. Typically duties of a State Senator. Compensation is a set by Washington State law at Personal Matters/Ex. 6 per year.

- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);

Washington State Senate. People of the 42<sup>nd</sup> Legislative District.



- the estimated time to be devoted to the activity;

Variable on a week to week basis. No work to be conducted during EPA hours without taking leave.

- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);

All work done outside of duty hours unless taking a leave day.

- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;

I will use no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.

- the basis for compensation (e.g., fee, per diem, per annum, etc.)

Per annum salary

- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 ([Subpart H on "Outside Activities"](#)) and Section 6401.103 ([EPA's Supplemental Regulations](#)); and

I have read, understand, and will abide by the restrictions described in 5 CFR part 2635 and section 6401-103.

- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided (if you don't know, then just say you are not personally aware of any).

I am not aware of any.

**From:** Fugh, Justina  
**Sent:** Wednesday, January 25, 2017 10:46 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Ethics -- next steps now that you are an EPA employee

Hi there,

Now that you are officially sworn in as an EPA employee, I want to provide you with specific ethics advice:

1) Submit your new entrant public financial disclosure report in INTEGRITY. We noticed that you haven't started that yet, so don't forget that it is due on 2/21/17. If you need an extension, you have to ask me before the expiration of the deadline. The account is currently set up with your personal email address as the user ID. Unless we hear from you otherwise today, we will change the user ID to your EPA email address. That way, if we have questions or comments about your submission, we can communicate with you through INTEGRITY using your EPA email.

2) Because you want to continue to serve as an elected Washington State Senator, you must seek approval of that outside activity by following specified rules. Please send me an email that provides the following information:

- your name, EPA title and grade (meaning your type of appointment and pay grade);
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;
- the basis for compensation (e.g., fee, per diem, per annum, etc.);
- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.103 (EPA's Supplemental Regulations); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided (if you don't know, then just say you are not personally aware of any).

- I need that information as soon as possible so that I can officially clear you to continue to serve in your elected position. Once I hear from you, I can issue you a determination that is releasable under FOIA and therefore also to the media.
- To remind, EPA will permit you to continue to serve since you were elected prior to joining EPA, but as we discussed last week, you are now subject to the Hatch Act. That law regulates the political activity of federal employees and prohibits you from unfettered involvement in partisan politics. You cannot undertake any activity that is directed at the success or failure of a partisan political candidate, group or campaign while on EPA property, using EPA equipment, or on EPA time. While you may engage in political activity on your own time (meaning the weekend, after business hours if off EPA premises, or while on leave or leave without pay), you are now subject to certain 24/7 restrictions. While you are a federal employee, you are prohibited from running for future partisan office and cannot solicit, accept or receive political contributions or engage in any partisan fundraising. Please do not mingle your state duties with your EPA duties.

- With respect to your other ethical obligations, I remind you that you have a financial conflict of interest with the State of Washington, so cannot participate personally and substantially in any particular matter that affects Washington as a specific party or as a member of a class. Attached is a recusal statement for you to review. Typically, these recusal statements are sent to your supervisor, but I'm not sure who that is (perhaps Mr. Benton?). If there are any changes to make, just let me know and I'll take care of it, then send the revised version back to you for signature.

Thanks for paying attention to ethics issues!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the  
zip code) | phone 202-564-1786 | fax 202-564-1772

**To:** Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 1:48:12 PM  
**Subject:** Ericksen

Charles,

Filling out some paperwork.

What is my pay grade/schedule called?

ericksen

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 1:22:30 PM  
**Subject:** FW: Anthropogenic Global Warming critique  
02 UN IPCC Official Admits We Redistribute Worlds Wealth By Climate Policy.docx  
03 un-fccc-copenhagen-2009.pdf  
01 The claim is that anthropogenic.docx

**From:** Citizen Name/Ex. 6 [mailto:Personal Email/Ex. 6]  
**Sent:** Thursday, January 26, 2017 6:59 PM  
**To:** Ericksen.Doug@epamail.epa.gov  
**Subject:** Anthropogenic Global Warming critique

Mr. Doug Ericksen,

I am Mr. Citizen Name/Ex. 6 is fine. Included are 3 documents to expose and debunk the claims of Anthropogenic Global Warming/Anthropogenic Climate Change..

#### 01 The Claim Is That Anthropogenic

This is a brief background of the issue. This is one of a few documents I used a supplement to the lectures/presentations I did for the general public to critique claims that humans are causing the atmospheric conditions to become unacceptable.

#### 02 UN IPCC Official Admits We Redistribute Worlds Wealth By Climate Policy

This is an interview of a UN IPCC official, and a look at the objectives of the Copenhagen Treaty. I have used this information in presentations as well.

#### 03 un-fcc-copenhagen-2009

This is the Copenhagen Treaty in full for verification of sections in full and in their own words.

I can provide you many more pages of empirical documentation. As well as The Petition Project members, I have had many conversations by email and by phone, with members of The Heritage Foundation, Heartland Institute, and science communities world wide. Though it can become time consuming, with a little investigation and a little patience, most claims that humans are causing Global Warming/Climate Change can be debunked by those promoting Global Warming/Climate Change using their own words. Not as a word game or twisting facts, but eventually they will disclose their true intentions and how they manipulated the information.

I also have a video critique of Mr. Gore's movie ' An Inconvenient Truth ' to expose the flaws and bad science presented, to debunk his claims. Mr Gore is partners of Generation Investment Management, poised to buy and sell carbon credits. In my opinion, his movie is then an infomercial, nothing more.

Feel free to contact me if you have any questions. My cell number is Personal Phone/Ex. 6

Good luck!!

Citizen Name/Ex. 6

The claim is that anthropogenic (man made) CO<sub>2</sub> from burning carbon fuels (gasoline engines, diesel engines, jet engines, natural gas and heating oil to heat homes, burning coal to produce electricity, etc.) is causing the planet's average mean temperature to rise.

CO<sub>2</sub> can be a powerful "greenhouse" gas under certain conditions. As light enters the atmosphere, it heats the surface (rocks, roadways, just about everything the light is emitted on to except water - all energy that is absorbed by water is dissipated into the water evaporating into the atmosphere, and the atmospheric heat energy heats the water indirectly) and the IR heat radiation is trapped by CO<sub>2</sub>, Water Vapor, Methane, and other gasses in the atmosphere potentially causing an increased in trapped energy to cause the average mean temperatures to rise.

Earth would be about minus 70 degrees F if there were not a greenhouse effect to trap some heat. Weather and climate conditions are determined by the Earth's rotation and speed, the amount of tectonic plate activity which results in earthquakes and volcanic eruptions and volcanic venting, and atmospheric composition of gasses. Water vapor is 82% to 95% influential for greenhouse influence, CO<sub>2</sub> is 0.28%, and all other gasses are 4.72% influential for greenhouse effect. The atmosphere not only traps heat, it also blocks solar radiation and long and short wave energies to prevent daytime temperatures from reaching plus 250 degrees.

The some flaws with the theory of anthropogenic CO<sub>2</sub> causing Global Warming/Climate Change is that CO<sub>2</sub> is 0.0395% by volume which is only 0.28% influential. A flaw in the theory that it is a man made problem is that natural emissions are 1380 billion tons annually, and manmade emissions are only 30 billion tons annually - 2.17% of natural emissions.

It is also claims that CO<sub>2</sub> levels have risen since the industrial revolution with the emissions of CO<sub>2</sub> and CO<sub>2</sub> levels have not been as high as current levels in hundreds of thousands of years. The problem is that volcanic activity escalated beginning in the 1500's/1600's, and accelerated in 1865 to give the illusion that human emissions beginning in the industrial revolution has caused CO<sub>2</sub> levels to rise, also, there were 90,000 measurements of atmospheric CO<sub>2</sub> levels, measured to be 550 parts per million atmosphere (ppma) and satellite measurements began to be used in 1960 - the reason Mr. Gore uses 1960 to present chart to show CO<sub>2</sub> has only increased, with human emissions being inferred as the cause.

There is 320 million cubic miles of water on the surface of the planet, with 2 to 12 times as much in the mantle, with the 320 million cubic miles being subducted and reintroduced into the atmosphere about every three million years - more than 8 cubic miles of water is subducted and vented every month, with trillions of tons of carbon in and on the crust that is subducted which is also vented as CO<sub>2</sub> from vents, to emit the 1280 billion tons yearly.

The one eruption of the volcano in Iceland in 2011, emitted more CO<sub>2</sub> in four days than was sequestered and reduced for the last decade. The second recent eruption emitted enough CO<sub>2</sub> to negate any CO<sub>2</sub> emission reductions and/or sequestration that we will accomplish in the next decade or more.



Today's level is about 395 ppma, and if more than doubled to 800 ppma, the temperature variant would be 0.05 C (1/20 of one degree C) and the variant would only be realized at night. Dr. James Hansen recently state he exaggerated about the possible results of higher CO2 levels in reports so that the reports would not affect the loss of sales of his book he published in the mid to late 1980's. In the 1970's he was publishing reports to claim CO2 would cause an ice age.

There are more than a dozen factors to affect the planet's temperature and climates, and it is all about recycling the crust and everything on it, and dissipating internal and external heat into space to regulate Earth's temperatures. There are many checks and balances to regulate temperatures and climates, not just CO2, and CO2 is primarily naturally emitted.

There is a claim that 97% of scientists agree that Global Warming/Climate Change is real (and that scientists that oppose the claims are not real scientists. This is a claim that began as 100% of scientists agree that Global Warming/Climate Change is real. This originated in Mr. Al Gore's video, where he stated that a "large sampling of peer-reviewed articles - 910 articles, and not one person disagreed." Mr. Gore stated it was a "peer-reviewed [pause] publication." In fact, the publication is an activist environmentalist publication, not a peer-reviewed science publication. Also fact, more than 32,000 scientists verified with a minimum of a B.S. degree in specific related fields and disciplines) in the USA alone, have documentation that Global Warming/Climate Change caused by human activity, is not an issue. (<http://www.petitionproject.org> ) I have had conversation with many that are on this site, as well as leading scientists in a variety of fields and disciplines in many other countries as well.

There is an average 3.2mm rise in average mean sea levels. In 2010 the average mean sea level actually fell. It is claimed that the water simple shifted to other regions, but satellite measurements take into account any water shift, to indicate the global average mean sea level. With the law of thermodynamics, there is a 15 to 25 year lag in glacial melting or freezing for temperature rise or fall. And the rate of melt will be exponentially increased over time, but average sea level rise is still well within variable rates.

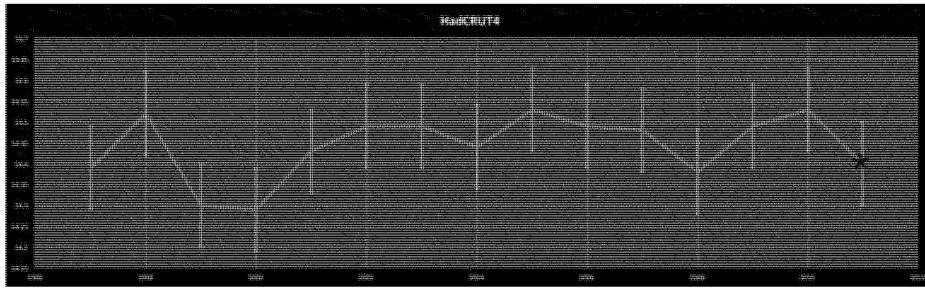
## **No Global Warming For 15 Years**

Monday, 02 April 2012 01:00 administrator

<http://thegwpcf.org/the-observatory/5360-no-global-warming-for-15-years.html>

### **New UK Met Office global temperature data confirms that the world has not warmed in the past 15 years.**

Analysis by the GWPF of the newly released HadCRUT4 global temperature database shows that there has been no global warming in the past 15 years - a timescale that challenges current models of global warming.



The graph shows the global annual average temperature since 1997. No statistically significant trend can be discerned from the data. The only statistically acceptable conclusion to be drawn from the HadCRUT4 data is that between 1997 – 2011 it has remained constant, with a global temperature of  $14.44 \pm 0.16$  deg C (2 standard deviations.)

The important question is whether 15 years is a sufficient length of time from which to draw climatic conclusions that are usually considered over 30 years, as well as its implications for climate projections.

The IPCC states that anthropogenic influences on the climate dominated natural ones sometime between 1960 – 80. The recent episode of global warming that occurred after that transition began in 1980. The world has warmed by about 0.4 deg C in this time. Whilst we live in the warmest decade of the instrumental era of global temperature measurement (post-1880), and the 90s were warmer than the 80s, the world has not got any warmer in the last 15 years.

In 2001 and 2007 the Intergovernmental Panel on Climate Change (IPCC) (and [here](#)) estimated that the world would warm at a rate of 0.2 deg C per decade in the future due to greenhouse gas forcing. Since those predictions were made it has become clear that the world has not been warming at that rate. Some scientists retrospectively revised their forecasts saying that the 0.2 deg C figure is an average one. Larger or smaller rates of warming are possible as short-term variations.

Global warming simulations, some carried out by the UK Met Office ([here](#), [here](#) and [here](#)), have been able to reproduce “standstills” in global warming of a decade or so while still maintaining the long-term 0.2 deg C per decade average. These decadal standstills occur about once every eight decades. However, such climate simulations have not been able to reproduce a 15-year standstill:

“Near-zero and even negative trends are common for intervals of a decade or less in the simulations, due to the model’s internal climate variability. The simulations rule out (at the 95% level) zero trends for intervals of 15 yr or more, suggesting that an observed absence of warming of this duration is needed to create a discrepancy with the expected present-day warming rate” (NOAA 2008).

We also note a comment in an email sent by Professor Phil Jones of the University of East Anglia Climatic Research Unit: "Bottom line – the no upward trend has to continue for a total of 15 years before we get worried."

Whether the global temperature standstill of the past 15 years continues or is replaced by warming, as the IPCC predicts, only future data will tell. In the meantime the length of the standstill means that the challenge it offers for models of future climate prediction, and explanations for past warming, cannot be ignored.

Dr David Whitehouse, science editor of the GWPF, said: "We are at the point where the temperature standstill is becoming the dominant feature of the post-1980 warming, and as such cannot be dismissed as being unimportant even when viewed over 30 years."

"It is time that the scientific community in general and the IPCC in particular acknowledged the reality of the global temperature standstill and the very real challenge it implies for our understanding of climate change and estimates of its future effects."

"It is a demonstration that the science is not settled, and that there are great uncertainties in our understanding of the real-world greenhouse effect when combined with anthropogenic and natural factors."

If I am in the hip pocket of the oil companies or coal companies or something, please tell them that I am because in the last decade and one half, I haven't received one single or multiple cent(s) in any manner or form to present documented empirical science data and evidence.

I have no agenda to promote on either side. If Global warming is true, I would present the science to show why. If Global Warming is not true, I would present the science to show why.

Hope this helps.

# UN IPCC Official Admits We Redistribute Worlds Wealth By Climate Policy

By Noel Sheppard | November 18, 2010 | 12:27

If you needed any more evidence that the entire theory of manmade global warming was a scheme to redistribute wealth you got it Sunday when a leading member of the United Nations Intergovernmental Panel on Climate Change told a German news outlet, "[W]e redistribute de facto the world's wealth by climate policy."

For the record, Edenhofer was co-chair of the IPCC's Working Group III, and was a lead author of the IPCC's Fourth Assessment Report released in 2007 which controversially concluded, "Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations."

As such, this man is a huge player in advancing this theory, and he has now made it quite clear - as folks on the realist side of this debate have been saying for years - that this is actually an international economic scheme designed to redistribute wealth.

Such was originally published by Germany's NZZ Online Sunday, and reprinted in English by the Global Warming Policy Foundation moments ago:

(NZZ AM SONNTAG): The new thing about your proposal for a Global Deal is the stress on the importance of development policy for climate policy. Until now, many think of aid when they hear development policies.

(OTTMAR EDENHOFER, UN IPCC OFFICIAL): That will change immediately if global emission rights are distributed. If this happens, on a per capita basis, then Africa will be the big winner, and huge amounts of money will flow there. This will have enormous implications for development policy. And it will raise the question if these countries can deal responsibly with so much money at all.

(NZZ): That does not sound anymore like the climate policy that we know.

(EDENHOFER): Basically it's a big mistake to discuss climate policy separately from the major themes of globalization. The climate summit in Cancun at the end of the month is not a climate conference, but one of the largest economic conferences since the Second World War. Why? Because we have 11,000 gigatons of carbon in the coal reserves in the soil under our feet - and we must emit only 400 gigatons in the atmosphere if we want to keep the 2-degree target. 11 000 to 400 - there is no getting around the fact that most of the fossil reserves must remain in the soil.

(NZZ): De facto (in fact whether by legal or illegal acts), this means an expropriation (to deprive or properties) of the countries with natural resources. This leads to a very different development from that which has been triggered by development policy.

(EDENHOFER): First of all, developed countries have basically expropriated the atmosphere of the world community. But one must say clearly that we redistribute de facto the world's wealth by climate policy. Obviously, the owners of coal and oil will not be enthusiastic about this. One has to free oneself from the illusion that international climate policy is environmental policy. This has almost nothing to do with environmental policy anymore, with problems such as deforestation or the ozone hole.

<http://unfccc.int/resource/docs/2009/awglca7/eng/inf02.pdf>

38. **The scheme for the new institutional arrangement under the Convention will be based on three basic pillars: government; facilitative mechanism; and financial mechanism, and the basic organization of which will include the following:**

(a) **The government will be ruled by the COP** with the support of a new subsidiary body on adaptation, and of an Executive Board responsible for the management of the new funds and the related facilitative processes and bodies. The current Convention secretariat will operate as such, as appropriate.

21. **The shared vision [for] [is of] long-term cooperative action, including the long-term global goal for emission reductions, [shall be guided by the ultimate objective of the Convention and its provisions and the principles] [to achieve the ultimate objective of the Convention and ensure its full, effective and sustained implementation, in accordance with its provisions and principles], recognizing that their application as regards individual Parties should evolve, in particular the [principles of [on the basis of equity and of common but differentiated responsibilities and respective capabilities, as well as the precautionary principle and state responsibility [, that are enshrined in the Convention] to guide the international community in addressing climate change], in particular articles 3.2, 3.3 and 3.5 of the Convention. [It also] [takes] [taking] into account environmental, evolving national circumstances, including social and economic [and political] conditions [, the specific needs and special circumstances {continued}(FCCC/AWGLCA/2009/INF.2 Page 11) of developing countries, precautionary approaches, the right to development and sustainable economic growth] [and other relevant factors]]] [as reflected in the Convention], and ensuring that global crises, such as the financial crisis, should not constitute an obstacle to the provision of financial and technical assistance to developing countries in accordance with the Convention.**

[14]

(v) **[[[Be legally binding, and] [Include] [legally-binding] provisions for ensuring the compliance of Annex II Parties with their financial commitments to support enhanced action on adaptation in developing countries] [Provisions for ensuring the compliance of developed country Parties with their financial and technology transfer commitments shall be legally binding];]**

32. [In delivering means of implementation for adaptation action[s] in developing country Parties, complementarity and coherence [shall] [should] be ensured among existing international sources of support, including funds under the Convention and bilateral and multilateral funds outside the Convention.] [Coherence should be maintained in funding adaptation through the Convention, and outside the financial mechanism of the Convention, in accordance with the guidance provided by the COP.] **[Funds will be under the control of the COP as the supreme authority of the Convention. Other complementary funds may be used on the understanding that they will not be the main source of funding for adaptation actions.] [These funds should be provided in accordance with the commitments of Parties under the Convention and to be delivered in accordance with the financial mechanism, as proposed by the G77-China.] [Financial resources should be provided through the enhanced financial architecture, and under the authority and guidance of, and fully accountable to, the COP.]**

(# 55)

circumstances.]] [international] institutional arrangements for adaptation [must][should][shall] be [guided][governed] by the following principles [and guiding criteria:]

- (a) Be [fair], effective, efficient and transparent;
- (b) **[[Be][Operate] under the authority, and guidance of, and be fully accountable to, the COP;]**

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77. The agreed full costs of enabling activities undertaken by the national coordinating bodies shall be met by developed country Parties. The administration costs of national coordinating bodies shall be covered through international financial resources made available for this purpose. **A separate pool of funding to finance national coordinating bodies through a direct line item in the secretariat's budget shall be established. Such support shall not be subject to measurement, reporting and verification.**

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- (o) **[Achieving removal of barriers for technology development and transfer;]**

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PP.13 Recognizing that current and **potential climate change impacts require a shift in the global investment patterns** and that criteria for financing allocation shall clearly respond to the priorities

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(# 46)

- (k) Clarifying and securing land tenure and planning – i.e. **allocation, ownership and control over lands and resources;**

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(#44)

- (a) [Support country-driven projects and programmes [in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change,] aimed at assessing, managing, reducing and sharing the risks associated with climate change, **[including the impacts of extreme weather events, and of gradual changes,]** [as well as other **short-, medium- and long-term risks]** through, **inter alia,** the implementation of the Hyogo Framework of Action<sup>1</sup>;

3. **Current per-capita emission in developed countries remain relatively high compared to those in developing countries, as noted in the Convention and by the IPCC.** [The serious adverse effects of climate change, notably those on crop production and food security, marine and coastal ecosystems, coastal livelihood, water resources and human health, ecosystems as well as on housing and infrastructure,] [Climate change is having significant deleterious effects on the composition, resilience and productivity of natural and managed ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure. These effects,] [Notably the effects on ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure,] [The AR4 demonstrates clearly that negative impacts of climate change are already evident and widespread, in particular in vulnerable regions of the world, and are increasingly posing a risk to ecosystems, food production, the attainment of sustainable development and of the Millennium Development Goals as well as to human health and security] as well as insufficient access to a global atmospheric resource, are [becoming] a major obstacle to efforts to promote [sustainable] economic and social development [and to **[reduce] poverty [eradication] [promote poverty alleviation,] [which are the first and overriding priorities of all developing countries]**]. In order to build up their coping or adaptive capacity, developing countries must pursue these overriding priorities to the best of their abilities. The maintenance of healthy ecosystems and their services is necessary to maintain the life support system on earth in the face of climate change, providing food and livelihoods, contributing to human welfare and enabling sustainable economic development.

33. **In the light of a shared vision based on historic responsibility/emissions, debt/per-capita emissions convergence/an equitable allocation of a shared atmospheric resource,** [and in accordance with the provisions of the Convention,] Annex I Parties shall provide new and additional financial resources to meet the full costs incurred by developing country Parties [in complying with their obligations under Article 12, paragraph 1, and the full incremental costs of implementing measures that are covered by Article 4, paragraph 1] [, particularly the most vulnerable countries including LDCs and SIDs, of meeting their commitments, towards the full, effective and sustained implementation of the Convention]. They shall also provide new and additional funding to cover the full incremental costs incurred by developing countries in implementing nationally appropriate mitigation actions undertaken in the context of sustainable development. Annex I Parties commit the amount of [ ] billion [Euros/dollars] in order to enable mitigation and adaptation actions in developing countries for the period now up to 2012. The [Conference of the] Parties shall periodically review the adequacy of levels of financing required to support mitigation and adaptation actions in developing countries, including a comprehensive review not later than 2011.

36. **The new agreed post-2012 institutional arrangement and legal framework to be established for the implementation, monitoring, reporting and verification of the global cooperative action for mitigation, adaptation, technology and financing, should be set under the Convention.** It should include a financial mechanism and a facilitative mechanism drawn up to facilitate the design, adoption and **carrying out of public policies, as the prevailing instrument, to which the market rules and related dynamics should be subordinate,** in order to assure the full, effective and sustained implementation of the Convention.



(#14)

(j) [Be supportive of national institutional arrangements] [Strong enabling environments include appropriate policy, legal and regulatory frameworks, and well-functioning markets that provide a foundation for increased flows of investment];

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(#14)

(m) [Plan and implement adaptation actions in a transparent and well documented way which is open to public scrutiny and discourse. Ensure the representation of key stakeholders, especially representatives of vulnerable communities, marginalized groups, women, and indigenous peoples at every stage of the process as appropriate – including in the governance and disbursement of adaptation finance, planning, implementation, monitoring and reporting] [Encourage the engagement of a wide range of stakeholders, including the private sector and civil society, in supporting and implementing adaptation action in developing country Parties] [Inclusive dialogue with all relevant stakeholders to be promoted in the identification of priorities] [Create arenas for sharing information and good practices, and forums where different public and private stakeholders can discuss concrete challenges];

(q) [Adhere to] the precautionary principle [, agreed upon in Principle 15 of the Rio Declaration and Article 3.3 of Convention, in adaptation planning, decision-making and implementation, with regard to the scale and nature of adaptation actions and to prevent maladaptation. **Any lack of full scientific certainty should not be used as a reason to postpone or scale down action on adaptation**];

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[15]

(d) [[Providing access to] [Mobilizing] **Means of implementation, [to be provided to developing countries by developed countries] including [support, in terms of] finance, technology and capacity-building** [for adaptation] [for implementing urgent and immediate adaptation action, at regional and country levels];]

(e) [New, additional and predictable financial resources separate and apart from ODA that are supported by appropriate institutional mechanisms;] [A dedicated funding mechanism for adaptation;]

(f) [[Support for] [Supporting] the implementation of [NAPAs] [immediate priorities and needs as identified in NAPAs and other relevant documents];]

(g) [Enhanced capacity at all levels in developing country Parties that are particularly vulnerable to the adverse effects of climate change, especially least developed countries and small island developing States and countries in Africa affected by drought, desertification and floods;]

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(#15)

(k) [Institutional arrangements [on adaptation under the Convention, which shall include a facilitative mechanism, with an expert panel, a permanent programme on adaptation, as well as a financial mechanism] [under the Convention process that co-ordinate adaptation efforts at the international and regional levels to support country-driven priorities];]



18. [Developing countries that are particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS, and further taking into account the needs of countries in Africa affected by drought, desertification and floods, shall be provided with financial and technical assistance to develop and implement national adaptation plans, and to support the implementation of adaptation actions as a means of building resilience to the impacts of climate change.] [Adequate finance must be provided for the implementation of NAPAs. In addition, finance must be provided to all developing country Parties to enable the formulation of their national adaptation plans.] [Parties should commit to promoting adaptation to climate change by cooperating to build capacities and mobilize resources for the development and implementation of such programmes, in particular for the LDCs.]

27. [[All] [Annex I] Parties [[should promote] [the participation of] [involvement, coordination and communication across]] [are encouraged to engage] a [wide] range of [their] [stakeholders, including] [national and international organizations] [[R&D] institutions, universities, research centres] [agencies] [local communities,] the private sector and civil society, [indigenous peoples, women and children,] in supporting and implementing adaptation action [in developing country Parties] [, bearing in mind that the involvement of the private sector and other stakeholders should supplement and not substitute the role of the developed country Parties related to the provision of financial resources and transfer of technology under the Convention].]

29. [[The adaptation [framework] [programme]] [The provision of [financial resources, including technology transfer and capacity-building] shall be in accordance with Article 4.3, 4.4 and 4.5 of the Convention and] must provide] scaled-up new, additional, adequate, predictable and sustainable financial [resources], technological and capacity-building support to address all key areas of the adaptation [framework] [programme] in a manner that is holistic, and consistent with national and regional development objectives, programmes and plans.] [Therefore, the financial support additional to ODA necessary for the implementation of adaptation actions should be covered in full by the developed country Parties.] [Financial support [must therefore be additional to finance for development, i.e. ODA, and] [shall] [should] be provided [by developed country Parties] [both] on a grant basis [and as concessional loans] to [assist in meeting] [meet] the [agreed] [full costs] [and] [agreed] [full] [incremental] costs of adaptation [action] in developing countries [with special consideration given to LDCs and

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SIDS] [and for stand-alone adaptation programmes].] [Developed country Parties shall improve access to new, additional and predictable financial flows.] [The developed country Parties shall provide new and additional financial resources – above what is now provided for national communications – to meet the agreed full costs incurred by developing country Parties] in compliance with their obligations under Article 12, paragraph 1, and Article 4, paragraph 3, of the Convention.]

30. The provision of financial and technical support by developed country Parties for adaptation programmes in developing countries is a commitment under the Convention that must be urgently fulfilled. Commitments made by Annex I Parties to support **implementation of the Adaptation Framework through financial and technology transfer shall be legally binding**, with provisions for a [monitoring, reporting and verification] mechanism to ensure compliance. There should be regular reporting through national communications on the implementation by developed country Parties and other developed Parties included in Annex II of their commitment under Article 4.4 of the Convention to assist vulnerable developing countries in meeting the costs of adaptation.

31. [Financial support for [sustained and ongoing] adaptation [planning and implementation] [shall] [should] [generally] be provided [to developing country Parties on the basis of entitlements to receive regular flows of periodic grant instalments] [through a programmatic approach] [and] [or] for project based [stand-alone activities] [adaptation action] [while also allowing flexibility for countries to receive financial support for adaptation through a programmatic approach and for project-based adaptation action].] [Provision of financial support shall be country-driven and follow a programmatic approach where possible, but also allow for using a project approach, when appropriate.] Support for adaptation shall seek to strengthen the countries in their adaptation efforts by support to country-driven adaptation planning processes and implementation, emphasizing programmatic approaches, while also recognizing a place for adaptation projects under certain circumstances.

33. By 2020 the scale of financial flows to support adaptation in developing countries must be [at least USD 67 billion] [in the range of USD 70–140 billion] per year. [Sources of new and additional financial support for adaptation [must meet the full agreed incremental costs of adaptation and initially be within a minimum range of USD 50–86 billion per annum and regularly updated in the light of new emerging science, financial estimates and the degree of emission reductions achieved.] [will be needed to scale-up adaptation activities at the country level in developing country Parties].] Adaptation financing must be substantially scaled up and must be sufficient to:

- (a) Meet the financial requirements for adaptation programmes at national, subregional, regional and international levels;
- (b) Meet the required financial resources, technologies and capacity-building for the implementation of action on adaptation in accordance with the commitment of the developed country Parties;
- (c) Provide adequate, predictable, stable and timely financing at full-cost and grant based with direct, simplified and expeditious access;
- (d) [Cover] [support] [all] [the different] stages of adaptation [activities], [from identification of actions to implementation] [and should therefore have commensurate resources];
- (e) Provide new and additional resources, that is, additional to ODA financing;
- (f) Require no co-financing, in terms of additionality.

34. [Taking into account the provisions of paragraph 38 below, developing country Parties [– those Parties eligible to borrow from the World Bank (IBRD and/or IDA) or eligible recipients of UNDP technical assistance through its country indicative planning figure (IPF) –] [particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems]

(# 12)

(c) [[Provide a comprehensive and structured approach to] Enable, support, facilitate and implement [urgent and immediate, medium- and long-term] adaptation actions, [by ensuring] [including through the provision of] **the predictable, [stable,] adequate and timely flow of new and additional financial resources** and the [development, deployment, diffusion, and] transfer of technology to [support] [enable urgent and immediate] national, [subnational,] regional, and subregional adaptation projects and programmes [to address the adverse effects of climate change] in all developing countries, [particularly LDCs and SIDS] [in accordance with the preamble of the Convention (preambular paragraphs 19 and 20) and its Article 4.4, 4.8 and 4.9].]

(#34)

[giving priority to the most vulnerable] [and Parties with economies in transition] [[[shall] [should] [receive access to] [be provided with] finance [on a continuous basis], technology and capacity-building **by at least 0.5 per cent** **{ \$37,500,000 – 37 million +/- } of GDP of developed countries**], to support adaptation action at local, subnational, national, regional and global levels, including:] [shall be supported in their adaptation actions, including adaptation planning and implementation, and support to adaptation action [shall] [should] encompass provisions for:] [Developed country Parties [,in order to pay their adaptation debt to the developing country Parties] [shall] [should] provide [finance, technology transfer and capacity-building to] support [for] adaptation actions [in developing countries, **in accordance with the provisions of the Convention.**] [at local, subnational and national levels as well as for stand-alone projects/actions] Such actions may include:]

- (a) [Activities referred to in section B above and paragraph 35 below relating to the implementation of adaptation actions and enabling [activities] [environments] to support those actions;]
- (b) [Identified adaptation programmes, projects or actions, such as those arising from [national sustainable development strategies],] risk reduction strategies, [poverty reduction strategies,] national communications and NAPAs and other relevant instruments;]
- (c) Means of implementation, including finance, technology and capacity-building;
- (d) Institutional arrangements;
- (e) Monitoring and review of adaptation action and support.]

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(#46)

(c) Creating legal and regulatory conditions that facilitate adaptation, including disaster resilience (for example, building codes, **land-use planning**, risk-sharing tools, and strengthening policy coherence among sectors);

(h) Establishing systems of accountability such as institutional checks and balances and open administrative systems. Establishing the rule of law through means and processes for enforcement;

(i) Improving the environment for doing business – particularly for small and medium enterprises – by combating corruption and reducing bureaucratic barriers (i.e. red tape) to private-sector business activity;

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41. [Providing financial support shall be additional to developed countries' ODA targets.] [Mandatory contributions from developed country Parties and other developed Parties included in Annex II should form the core revenue stream for meeting the cost of adaptation in conjunction with additional sources including share of proceeds from flexible mechanisms.] [This finance should come from the payment of the adaptation debt by developed country Parties and be based principally on public-sector funding, while other alternative sources could be considered.] **[[Sources of new and additional financial support for adaptation] [Financial resources of the "Convention Adaptation Fund"] [may] [shall] include:**

**Page 8**

- (a) [Assessed contributions [**of at least 0.7% of the annual GDP** {\$52,500,000– 52.5 million +/-} of developed country Parties] [from developed country Parties and other developed Parties included in Annex II to the Convention] [taking into account historical contribution to concentrations of greenhouse gases in the atmosphere];]
- (b) [Auctioning of assigned amounts and/or emission allowances [from developed country Parties];]

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- (c) [Levies on CO<sub>2</sub> emissions [from Annex-I Parties [in a position to do so]]];]
- (d) [Taxes on carbon-intensive products and services from Annex I Parties;]
- (e) [[Levies on] [Shares of proceeds from measures to limit or reduce emissions from] international [aviation] and maritime transport;]
- (f) Shares of proceeds on the clean development mechanism (CDM), [extension of shares of proceeds to] joint implementation and emissions trading;
- (g) [Levies on international transactions [among Annex I Parties];]
- (h) [Fines for non-compliance [of Annex I Parties and] with commitments of Annex I Parties and Parties with commitments inscribed in Annex B to the Kyoto Protocol (Annex B Parties);]
- (i) [[Additional ODA] [ODA additional to ODA targets] provided through bilateral, regional and other multilateral channels (in accordance with Article 11.5 of the Convention).]]

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50. [The [Convention] [Copenhagen Agreement][COP] [[should][shall] [guide and coordinate][promote] [[assume][play] a [catalytic][primary][coordinating] role in guiding][mobilizing][supporting][coordinating]]][can serve as a catalyst] [for] [actions on] [[in] the implementation of] adaptation [activities][actions] [at the international level] [, including cooperative action by all Parties and by relevant international, regional and national organizations and institutions][, ensuring the provision of predictable, adequate, **new and additional financial resources**, technologies and capacity-building by developed country Parties] and [continue to work cooperatively with other organizations on the broad range of initiatives required to address adaptation.]] [The Convention shall catalyse actions in different sectors, promoting efficient and effective use of the financial resources for adaptation provided under the Convention, and engage in education and training programmes, research and public awareness-raising.]

- (c) [Be underpinned by the principle of **common but differentiated responsibilities and equity**];]

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- (m) [**Developing non-exclusive and additional mechanisms for the transfer of adaptation technologies**.]
- (n) [**Achieving adequacy and predictability of funds for technology transfer**.]

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4. Act in accordance with, and take the necessary steps to ensure the implementation of, Article 4.7 of the Convention, which stipulates that “the extent to which developing country Parties will effectively implement their commitments

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under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that **economic and social development and poverty eradication are the first and overriding priorities** of the developing country Parties” (enhanced support and enabling means result in enhanced actions of developing country Parties and not the other way round).

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78. ~~[[Sufficient]]~~~~[[Adequate and accessible]]~~~~[[enhanced]]~~~~[[agreed full costs]]~~**Adequate technical, [[sustained] financial [support]** and capacity-building shall be provided to developing country Parties to enable them to develop and maintain capacity to prepare national GHG emissions inventories and national communications.

79. For supported NAMAs by developing countries, developed country Parties including those included in Annex II to the Convention shall provide new and additional financial resources **to meet the agreed full cost of verification undertaken by the developing countries.**

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4. Act in accordance with, and take the necessary steps to ensure the implementation of, Article 4.7 of the Convention, which stipulates that “the extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that **economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties**” (enhanced support and enabling means result in enhanced actions of developing country Parties and not the other way round).

To cover all possibilities, including those that they have not thought of a statement like on Page 95 “133. Governance of the coordinating mechanism, including possible supporting technical bodies: **(text to be developed)**” the “text to be developed” clause is used so they can include anything they want at any time.

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PP.6 Intending to renew and strengthen the global partnership through the creation of new levels of cooperation among Parties, according to the principles of the Convention.

PP.7 Affirming a Shared Vision of a long-term goal to **equitably**, successfully and coherently integrate the ambitious efforts of all Parties.

PP.14 Acknowledging that current atmospheric concentrations are principally the result of historical emissions of greenhouse gases, the most significant share of which has originated in developed countries.

{page 6 continued}

PP.15 Further acknowledging that developed countries have a historical responsibility for their disproportionate contribution to the causes and consequences of climate change, reflecting their disproportionate historical use of a shared global carbon space since 1850 as well as their proposed continuing disproportionate use of the remaining global carbon space.

3. Current per-capita emission in developed countries remain relatively high compared to those in developing countries, as noted in the Convention and by the IPCC. [The serious adverse effects of climate change, notably those on crop production and food security, marine and coastal ecosystems, coastal livelihood, water resources and human health, ecosystems as well as on housing and infrastructure,] [Climate change is having significant deleterious effects on the composition, resilience and productivity of natural and managed ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure. These effects,] [Notably the effects on ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure,] [The AR4 demonstrates clearly that negative impacts of climate change are already evident and widespread, in particular in vulnerable regions of the world, and are increasingly posing a risk to ecosystems, food production, the attainment of sustainable development and of the Millennium Development Goals as well as to human health and security] as well as insufficient access to a global atmospheric resource, are [becoming] a major obstacle to efforts to promote [sustainable] economic and social development [and to [reduce] **poverty**] **[eradication]** **[promote poverty alleviation,]** **[which are the first and overriding priorities of all developing countries]**. In order to build up their coping or adaptive capacity, developing countries must pursue these overriding priorities to the best of their abilities. The maintenance of healthy ecosystems and their services is necessary to maintain the life support system on earth in the face of climate change, providing food and livelihoods, contributing to human welfare and enabling sustainable economic development.

4. [Developing countries face not only the additional challenge of adaptation but also the need to put their economies on a sustainable path. All Parties agree that **developing countries** face serious adverse effects of climate change as well as **threats to their future economic potential due to insufficient access to shared global atmospheric resources.**]

A “reduction from business as usual” is stated multiple times so their Communist/socialist economy and society will be imposed. The “No-loose” and No-Regret” statements are used multiple times to desensitize us from when they have absolute and unconditional rule, for when their ideologies fail, they have a safety valve (golden hammock let alone a golden parachute) to fall back on to have a predisposition to their failures.

#### **A breakdown of a few words and phrases:**

**Inter Alia** (“among other things”) - 86 times. This leaves the door (and pockets) wide open for additional demands and extortion of funds in the future.

**Transfer of funds / technologies and/or technology** - 240 times. To state developed countries will give to other countries the technologies and funds

**risk management** -10 times. To create AGW/ACC insurance to include all weather related events.

**Developed countries/country** - 342 times. Those countries that will be the slush fund and cash cow.

**Eradication/elimination of poverty** - 26 times. This is “The Ultimate Objective” as stated.

**Gender** -10 times. Not including children, disabled, indigenous peoples stated multiple times that are apparently are more susceptible to AGW/ACC according to the UN and COP.

**equity** - 16 times. The COP will decide what is equitable for “redistribution of the wealth.”

**economic / economy** -180 times.

**resources** – financial/technology -180 times.

**global investment/partnership** - 134 times



Shared Vision - 37 times  
financial/finance – 467

## Page 11

historical responsibility - 37 times  
disproportionate historical CO2 emissions - 9 times  
share - 50 times (excluding shared vision – 87 ttl, 50 + 37 shared vision)  
Atmospheric resources/pollution/allocation – 18 times

Other words and phrases are:

**Equitable allocation, gender equity, collective effort**

**Mutatis Mutandis** “with those things having been changed which need to be changed”

## The Communist Takeover Of America - 45 Declared Goals

**Communist Goals (1963) Congressional Record  
Appendix, pp. A34-A35 January 10, 1963**

From "The Naked Communist," by Cleon Skousen

11. Promote the U.N. as the only hope for mankind.

15. Capture one or both of the political parties in the United States.

17. Get control of the schools. Use them as transmission belts for socialism and current Communist propaganda. Soften the curriculum. Get control of teachers' associations. Put the party line in textbooks.

29. Discredit the American Constitution by calling it inadequate, old-fashioned, out of step with modern needs, a hindrance to cooperation between nations on a worldwide basis.

19. Use student riots to foment public protests against programs or organizations which are under Communist attack.

20. Infiltrate the press. Get control of book-review assignments, editorial writing, policy-making positions.

21. Gain control of key positions in radio, TV, and motion pictures.

32. Support any socialist movement to give centralized control over any part of the culture--education, social agencies, welfare programs, mental health clinics, etc.

36. Infiltrate and gain control of **more** unions.

42. Create the impression that violence and insurrection are legitimate aspects of the American tradition; that students and special-interest groups should rise up and use [""]united force[""] to solve economic, political or social problems.







**UNITED  
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**Framework Convention  
on Climate Change**

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**AD HOC WORKING GROUP ON LONG-TERM COOPERATIVE ACTION  
UNDER THE CONVENTION**

**Seventh session**

**Bangkok, 28 September to 9 October 2009, and Barcelona, 2–6 November 2009**

**Item 3 (a–e) of the provisional agenda**

**Enabling the full, effective and sustained implementation of the Convention through long-term cooperative action now, up to and beyond 2012, by addressing, inter alia:**

**A shared vision for long-term cooperative action**

**Enhanced national/international action on mitigation of climate change**

**Enhanced action on adaptation**

**Enhanced action on technology development and transfer to support action on mitigation and adaptation**

**Enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation**

**Reordering and consolidation of text in the revised negotiating text**

**Note by the secretariat**

*Summary*

This document contains reordered and/or consolidated sections of the revised negotiating text (FCCC/AWGLCA/2009/INF.1) prepared by facilitators during and after the informal meeting of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) held in Bonn, Germany, on 10–14 August 2009.

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## Introduction

1. The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), at its sixth session, had before it a negotiating text prepared by its Chair.<sup>1</sup> At that session, Parties provided general comments on the structure and content of the negotiating text, stated reservations and objections to elements of the text, and proposed additions and modifications. The incorporation of this input resulted in the revised negotiating text.<sup>2</sup>
2. The revised negotiating text was considered at the informal meeting of the AWG-LCA held in Bonn, Germany, on 10–14 August 2009. Informal groups and sub-groups were set up to work on different sections of the text with a view to modifying it in the direction of consolidation and convergence. This document reflects the results of that work, as well as subsequent work undertaken by the group facilitators. This document does not, however, replace the revised negotiating text, which remains on the table.
3. Based on the exchanges among Parties during the August meeting, facilitators proposed how elements of the revised negotiating text could be reordered and consolidated in order to make the text more manageable. In some cases examples were made available in the form of non-papers; in other cases the proposed approach was presented to the groups in more general terms. At the end of the informal meeting, an understanding was reached that the facilitators, on their own responsibility, would reorder and consolidate the respective parts of the revised negotiating text in preparation for the first part of the seventh session of the AWG-LCA.
4. Annexes I to VI to this document contain suggestions for reordering and consolidating elements of the revised negotiating text, prepared by the facilitators during and after the informal meeting. Each annex has independent paragraph numbering. Paragraphs can be traced back to the revised negotiating text and to their sources with the aid of the background tables contained in document FCCC/AWGLCA/2009/INF.2/Add.1. These tables also contain information on the approach taken to the reordering and consolidation in each case.<sup>3</sup> Notes on the sources of the revised negotiating text can be found at the UNFCCC website.<sup>4</sup>
5. Facilitators were in some cases requested to prepare further background material suggesting ways to advance on revising the text during the first part of the seventh session of the AWG-LCA. Such material is contained in document FCCC/AWGLCA/2009/INF.2/Add.2.
6. The annexes to this document also reproduce the proposals contained in the revised negotiating text on the structure of the text and on the placement of elements within the text, with the exception of those proposals that have been implemented as part of the suggested reordering or consolidation. Cross-cutting structural proposals are contained in annex VII to this document.
7. Additional input on the revised negotiating text received from Parties during or shortly after the informal meeting in August is contained in document FCCC/AWGLCA/2009/INF.1/Add.1.

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<sup>1</sup> FCCC/AWGLCA/2009/8.

<sup>2</sup> FCCC/AWGLCA/2009/INF.1.

<sup>3</sup> In some cases there are also additional tables containing analysis by the facilitators.

<sup>4</sup> < <http://unfccc.int/meetings/items/4381.php> >.

## **Overview of the contents of FCCC/AWGLCA/2009/INF.2 and Add.1 and 2**

### **FCCC/AWGLCA/2009/INF.2\***

1. Document FCCC/AWGLCA/2009/INF.2 contains suggestions for reordering and consolidating elements of the revised negotiating text, prepared by the facilitators.

#### **Introduction**

#### **Annexes:**

- I. A shared vision for long-term cooperative action
- II. Enhanced action on adaptation and its means of implementation
- III. Enhanced action on mitigation
  - III A. Mitigation [commitments] by [developed country Parties]
  - III B. Nationally appropriate mitigation actions by developing countries
  - III C. Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
  - III D. Cooperative sectoral approaches and sector-specific actions
  - III E. Economic and social consequences of response measures
- IV. Enhanced action on the provision of financial resources and investment
- V. Enhanced action on development and transfer of technology
- VI. Capacity-building
- VII. Cross-cutting proposals related to structure and placement

\* Unofficial translations of this document will be issued in Arabic, Chinese, French, Russian and Spanish.

### **FCCC/AWGLCA/2009/INF.2/Add.1**

2. Document FCCC/AWGLCA/2009/INF.2/Add.1 contains background information on the sources of the paragraphs contained in annexes I–VI to the parent document listed above and on the approach to the reordering and consolidation of text.

### **FCCC/AWGLCA/2009/INF.2/Add.2**

3. Document FCCC/AWGLCA/2009/INF.2/Add.2 contains additional input prepared by the facilitators before the seventh session of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention.

Annex I**A shared vision for long-term cooperative action**

This annex contains text from paragraphs 1–17 (pages 5–21) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered and consolidated by Parties and the facilitator of the informal group on shared vision. The approach to consolidation emerged from informal exchanges among Parties and was presented to the informal group on shared vision for proposals for preambular paragraphs 1–6 and paragraphs 1–4. After the informal meeting, the same approach was applied by the facilitator to the remaining proposals.

Paragraphs have been renumbered starting from 1, with preambular paragraphs identified by inserting PP in front of the paragraph number.

Paragraphs can be traced to their origin by using the explanatory table contained in annex I to document FCCC/AWGLCA/2009/INF.2/Add.1.

Structural proposals:

*1) The process of reviewing overall progress towards the ultimate objective of the Convention and actions related to mitigation, adaptation and means of implementation should be consolidated in a proposed new chapter for cross-cutting issues.*

*2) The range of emission reductions in paragraphs 31 (a) and 34 (a) should be removed from the shared vision chapter and treated in the mitigation chapter.*

*3) The shared vision is expressed:*

*Option 1: As a COP decision;*

*Option 2: As part of the COP decision that adopts an implementing agreement;*

*Option 3: As a chapeau to the implementing agreement;*

*Option 4: As the first section of the implementing agreement.*

PP.1 Recalling the Bali Action Plan adopted by decision 1/CP.13 of the Conference of the Parties to the Convention at its thirteenth session, and the need for long-term cooperative action among all Parties to enable the full and sustained implementation of the Convention now, up to and beyond 2012, in order to achieve its ultimate objective.

PP.2 Acknowledging the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) and more recent scientific information, that delay in reducing emissions significantly constrains opportunities to achieve low stabilization levels and increases the probability of severe climate change impacts and the consequent need for, and cost of, adaptation,

PP.3 Acknowledging the important role of the Kyoto Protocol in contributing to the ultimate objective of the Convention, and the need to broaden the legal commitments under the Convention. Substantial reductions of GHG emissions from Annex I countries should be agreed,

PP.4 Recognizing the importance of early action and emphasizing the urgent need to accelerate both mitigation and adaptation actions,

PP.5 Renewing the political determination to ensure that the equitable development needs of present and future generations are properly addressed.

PP.6 Intending to renew and strengthen the global partnership through the creation of new levels of cooperation among Parties, according to the principles of the Convention.

PP.7 Affirming a Shared Vision of a long-term goal to equitably, successfully and coherently integrate the ambitious efforts of all Parties.

PP.8 [Recognizing that] sustainable development is the first priority for developing countries. Therefore, [that] our commitment to a low carbon society would have to be linked to our development priorities, in accordance with the provisions of the Convention.

PP.9 [Recalling that] the Rio principles, particularly the principles of [equity], common but differentiated responsibilities and respective [capabilities] [capacities] should guide the debates on shared vision.

PP.10 [Emphasizing that] it is fundamental that Annex I countries comply fully with the provisions as set out in 4.3, 4.4, and 4.5 as well as additional commitments on technology transfer and capacity-building.

PP.11 [Further emphasizing that] a shared vision does not include commitments for developing countries. It does, entitle technology transfer, capacity-building and financial resources for project implementation regarding mitigation national programs.

PP.12 [Recognizing that sustainable development that ensures capacity for] [A shared vision recognizes that] [adaptation to the adverse effects of climate change is the most important issue for] [the most vulnerable countries are] all developing countries, [particularly] low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change, [as stated in preambular text 19 of the UNFCCC].

PP.13 Recognizing that current and potential climate change impacts require a shift in the global investment patterns and that criteria for financing allocation shall clearly respond to the priorities identified by the international community, with climate change stabilization being one of these priorities.

PP.14 Acknowledging that current atmospheric concentrations are principally the result of historical emissions of greenhouse gases, the most significant share of which has originated in developed countries.

PP.15 Further acknowledging that developed countries have a historical responsibility for their disproportionate contribution to the causes and consequences of climate change, reflecting their disproportionate historical use of a shared global carbon space since 1850 as well as their proposed continuing disproportionate use of the remaining global carbon space.

1. [[[As assessed by the IPCC in its Fourth Assessment Report] Warming of the climate system, as a consequence of human activity, is unequivocal. [Global atmospheric concentrations of greenhouse gases have increased significantly because of human activities since 1750.]
2. Current atmospheric concentrations are principally the result of historical emissions of greenhouse gases, [the largest share of which has originated in] [originating from] developed countries [Parties].

3. Current per-capita emission in developed countries remain relatively high compared to those in developing countries, as noted in the Convention and by the IPCC. [The serious adverse effects of climate change, notably those on crop production and food security, marine and coastal ecosystems, coastal livelihood, water resources and human health, ecosystems as well as on housing and infrastructure,] [Climate change is having significant deleterious effects on the composition, resilience and productivity of natural and managed ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure. These effects,] [Notably the effects on ecosystems, on the operation of socio-economic systems and on human health and welfare, including crop production, fisheries and food security, water resources, as well as on housing and infrastructure,] [The AR4 demonstrates clearly that negative impacts of climate change are already evident and widespread, in particular in vulnerable regions of the world, and are increasingly posing a risk to ecosystems, food production, the attainment of sustainable development and of the Millennium Development Goals as well as to human health and security] as well as insufficient access to a global atmospheric resource, are [becoming] a major obstacle to efforts to promote [sustainable] economic and social development [and to [reduce] poverty] [eradication] [promote poverty alleviation,] [which are the first and overriding priorities of all developing countries]. In order to build up their coping or adaptive capacity, developing countries must pursue these overriding priorities to the best of their abilities. The maintenance of healthy ecosystems and their services is necessary to maintain the life support system on earth in the face of climate change, providing food and livelihoods, contributing to human welfare and enabling sustainable economic development.

4. [Developing countries face not only the additional challenge of adaptation but also the need to put their economies on a sustainable path. All Parties agree that developing countries face serious adverse effects of climate change as well as threats to their future economic potential due to insufficient access to shared global atmospheric resources.]

5. Recalling that [besides adversely affecting all developing countries, climate change pose significant challenges to] [[the adverse effects of climate change will be felt most acutely by [those segments of the] [vulnerable countries and] [in developing countries, particularly in low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change and by the most fragile ecosystems and] population [particularly in] [within] developing countries who have contributed least to climate change but [who are already in vulnerable situations [owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability]]].

6. These adverse effects [also] [further] [undermine the equitable development needs of present and future generations] [demand a more equitable utilization of the global atmospheric resource to reflect the needs of present and future generations], and have a range of direct and indirect implications for the full and effective enjoyment of human rights including the right to self determination, statehood, life, food and health and the right of a people not to be deprived of its own means of subsistence, particularly in developing countries.

7. With land use being linked to sustainable development, adaptation and mitigation, agriculture plays an important role, especially in the context of food security and poverty reduction. Therefore, adaptation as well as mitigation efforts in the AFOLU sector are required to enable substantial increase in production and productivity needed for ensuring food security. Reducing GHG emissions in agriculture is a challenging task and may thus require attention in the context of any shared vision for long-term cooperative action.

8. Deep cuts [by developed countries] [by all Annex I country Parties] [by all developed countries] in global emissions by Parties in accordance with their historical responsibilities, as well as the principles

of equity and common but differentiated responsibilities, and realistic changes in emission patterns [will be] [are urgently] required to prevent dangerous interference with the climate system and achieve the ultimate objective of the Convention. Early and urgent action by all countries on the basis of equity and according to their common but differentiated responsibilities and respective capabilities is necessary. [A] [Further] delay by Parties [in implementing their commitments to reduce] [reducing] emissions will increase their climate debt to the developing countries and significantly constrain opportunities to achieve lower stabilization levels of greenhouse gases (GHGs) and increase the risk of more severe climate change impacts. Avoidance of damage to SIDS and LDCs as a primary benchmark for assessing the adequacy of long-term cooperative action.

9. The shared vision for long-term cooperative action recognizes the strong link between adaptation and mitigation as well as the cross-cutting role played by financing, technology transfer and capacity-building. Failure to implement ambitious and immediate mitigation actions by developed countries will increase the need for adaptation in developing countries and therefore for financial support. At the same time, increased financial support and technology transfer to developing countries will help these countries in their implementation of NAMAs, reducing the risk of crossing tipping points that could result in abrupt climate change.

10. Led by developed country Parties, [an economic transition is needed [that shifts] [in order to adjust] global economic growth patterns towards a sustainable [low-emission economy] based on development of innovative technologies, more sustainable production and consumption, promoting sustainable lifestyles and [climate-resilient] [sustainable] development [while ensuring a just transition of the workforce]. The active participation of all stakeholders in this transition should be sought [, be they governmental, including subnational and local government, private business or civil society, including the youth and addressing the need for gender equity].] Those developing countries that were and are low carbon economies need sufficient financial incentives and appropriate technology transfer to keep avoiding GHG emissions in their path to sustainable development and to prevent adopting the high GHG emission trajectories of developed countries.

*Alternative to paragraph 10:*

[In the face of the grave challenge of harmonizing sustainable development with mitigation of climate change, all the Parties are in need of a paradigm shift towards low carbon development. However, there still is no model for low carbon paradigm shift. As mitigation is a result of paradigm shift towards low carbon development, a concrete roadmap for low carbon development, especially for developing country Parties, is urgently needed.]

11. The structure of the global economy has undergone profound changes since the entry into force of the Convention, and Parties' individual responsibilities and capabilities with it. Emissions and sources of capital are increasingly global, necessitating that all countries take action to achieve a low-emissions trajectory in order to meet the objective of the Convention.

*Alternative to paragraphs 1–11:*

[Recognizing the need to further enhance the implementation of the Convention through long-term cooperative action and that deep cuts in global emissions will be required in order to achieve its ultimate objective.

Noting the need to take account of future changes in the economic and social circumstances of Parties, as well as the constant evolution of scientific knowledge relating to climate change, its causes and effects.]

12. [All Parties should take mitigation actions under an enlightened sense of solidarity] [All Parties should contribute to the global effort to combat climate change], in accordance with their common but differentiated responsibilities and respective capabilities [– a spectrum of effort is envisaged]. All countries will need to develop comprehensive climate response strategies, in line with their individual responsibilities and capabilities, that achieve an emission trajectory to a low emission economy.



13. [[In this context,] developed country Parties [have committed to] [should] demonstrate that they are taking the lead in modifying [the] long-term trends in emissions [reduction] consistent with the objective of the Convention [and in accordance with its provisions and principles.] In doing so, Annex I Parties pledge to meet their targets fully, effectively and in a measurable, reportable and verifiable manner.

14. [In reflection of] [Because of] their historical responsibility for the accumulation of greenhouse gas emissions in the atmosphere, [developed country Parties [and other Parties included in Annex I of the Convention] [must] [should] [show leadership] [in the global effort to build a low-carbon economy that ensures continued growth and sustainable development and strengthens capacity to adapt to the impacts of climate change] [shall take the lead in combating climate change] [and the adverse effects thereof] [in] [by] [in particular on taking corresponding measures in] [mitigation] [in taking on ambitious economy-wide quantified emission limitation and reduction] commitments [immediately implementing ambitious and legally binding emissions reductions] [through deep reductions in their emissions.] [or actions.] Developed country Parties and other developed Parties included in Annex II of the Convention [should] [must] [shall fulfill their commitments under the Convention in] supporting all developing country Parties, particularly the most vulnerable, in undertaking adaptation measures and enhanced nationally appropriate mitigation actions (NAMAs), in a measurable, reportable and verifiable manner, and in [assisting] [providing support] [enabling] them through the [provision of] [transfer of] technology cooperation and transfer and capacity building and financial resources [that help these countries] to move towards a low-emission development path.

15. [All Annex I Parties also agree to present Carbon Neutral Strategies (CNS) containing their vision to meet their quantified targets by 2020. This plan by all Annex I Parties, will act as a transparent modality in meeting the Annex I Party individual targets to reduce greenhouse gas emissions. It will outline a mitigation policy in totality as well as measures how it will meet its targets and stay on track.]

16. [Developing countries will also contribute to a global mitigation effort in accordance with the Convention, including through nationally appropriate mitigation actions.] [The extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to finance and transfer of technology.] [All Parties agree that to the extent developing countries are expected to take NAMAs would hinge on the extent to which they are provided financial resources aided by vital technology transfer and development and that the NAMAs by the developing country Parties and the provision of finance and technology shall both be measurable, reportable and verifiable.] [Developing countries could adopt bolder measures of mitigation if developed countries make even deeper cuts in their own domestic emissions and provide adequate means of implementation. Furthermore, deeper cuts would create a demand for expanded carbon markets that should go hand in hand with significantly increased access to the project mechanisms to carbon trading schemes, and an early and enhanced role of forestry in the carbon markets.]

17. [All Parties should aim to undertake a similar level of effort to others at a similar level of development and with similar national circumstances.] [Developing countries] [Those Parties] whose national circumstances reflect greater [responsibilities] [responsibility] and [capabilities] [capability] [must contribute to the effort] [should make a greater contribution to the global effort] to address climate change, including for limitations of emissions and enhancement of removals of greenhouse gas emissions and in assisting the most vulnerable Parties and populations to adapt to climate change.]]

18. Developing country Parties overriding priority remains sustainable economic growth and poverty eradication, an effort which has been complicated by the effects of climate change. Special attention should be given to the [[urgent and immediate adaptation needs of [all] developing countries, [especially those] [that are] [particularly] [vulnerable to the adverse effects of climate change [as stated in preambular 19 of UNFCCC and the adverse effects of response measures,] [particularly low-lying and

other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems,] [and SIDS and LDCs] [require special attention] [must be met]] [, necessitating a shared vision for actively promoting sustainable community-based ecosystem management, conservation and restoration activities, where appropriate to support adaptation.] [Among adaptation actions are those necessary to restore the resilience of ecosystems and their productivity to enable sustainable economic development.]] [Those Parties whose national circumstances reflect the least capability and the most vulnerability to the adverse effects of climate change should be prioritised for support in their efforts to adapt to the adverse effects of climate change.] [The healthy marine and terrestrial ecosystems and their services are required to sustain the life supporting system on earth, providing food and livelihoods, contributing to human welfare and enabling sustainable economic development.] [It is important to stress the need for sustainable coastal and marine ecosystems that will increase the resilience to climate change. An integrated coastal and ocean management approach is a key in promoting resilience, and thus fundamental to preparing for and adapting to the effects of climate change on the ocean.] [[Countries] [Developing country Parties] lacking sufficient capacity to respond to the challenges of climate change require access [to opportunities to obtain this capacity] [to resources] in a timely [sustained and cooperative] manner.]] [Measurable, reportable and verifiable financing, technology transfer and compensation must be provided by developed countries to address the full costs of adaptation in developing countries, supported by appropriate institutional arrangements under the Conference of the Parties.] It is also particularly important to provide adequate, predictable, stable, sufficient and timely funding for adaptation purposes particularly by developed countries. Developed country Parties shall support these developing countries in meeting the costs of adaptation.

19. The shared vision for long-term cooperative action shall be guided by the ultimate objective of the Convention and its principles. [The urgent need to [confront] [prevent] dangerous climate change requires [political determination] [leadership] to [continue building an inclusive, fair and effective [climate regime] [implementation of the Convention], one that takes into account the integrity of the climate regime and the [need of developing countries' need] [needs of developing countries and their need] for adequate and equitable sustainable development [space] and the particular vulnerability of SIDS and LDCs, and is based on a [[new and] equitable] [genuine] [strengthened] global partnership that [drives] [enhances] [long-term] cooperative action to] [address existing implementation gaps, ensure effective implementation by all Parties with their commitments and] [address the existing implementation gaps especially in the implementation of commitments taken under Article 4 of the Convention] enable the full, effective and sustained implementation of the Convention now, up to and beyond 2012.] Scientific evidence shows that the global costs of mitigation and adaptation to the adverse effects of climate change will soar if mitigation efforts are timid, fragmented and restricted. Furthermore, it shows that the economics of ambitious and bold mitigation action pays better than shy efforts, both at a global and domestic level in developed and developing country Parties.

20. In order to fulfill this shared vision, Parties have agreed to establish a coherent, cohesive and integrated system of financial and technology transfer mechanisms under the Convention and a follow up/compliance mechanism. These institutions are robust and effective.

21. [The shared vision [for] [is of] long-term cooperative action, including the long-term global goal for emission reductions, [shall be guided by the ultimate objective of the Convention and its provisions and the principles] [to achieve the ultimate objective of the Convention and ensure its full, effective and sustained implementation, in accordance with its provisions and principles], recognizing that their application as regards individual Parties should evolve, in particular the [principles of [on the basis of equity and of common but differentiated responsibilities and respective capabilities, as well as the precautionary principle and state responsibility [, that are enshrined in the Convention] to guide the international community in addressing climate change], in particular articles 3.2, 3.3 and 3.5 of the Convention. [It also] [takes] [taking] into account environmental, evolving national circumstances, including social and economic [and political] conditions [, the specific needs and special circumstances

of developing countries, precautionary approaches, the right to development and sustainable economic growth] [and other relevant factors]]] [as reflected in the Convention], and ensuring that global crises, such as the financial crisis, should not constitute an obstacle to the provision of financial and technical assistance to developing countries in accordance with the Convention.

22. [The shared vision for long-term cooperative action [shall guide short- and midterm urgent and enhanced action on adaptation and mitigation, including support through finance, technology, and capacity-building] [aims to address climate change and achieve the mutually supportive and intertwined pillars of sustainable [and climate-resilient] development, that are economic development, social progress and the protection of the environment, as well as the survival of all states [and] to enhance action on adaptation, mitigation, technology, finance and capacity-building, integrating the means of implementation needed to support action in developing countries on adaptation and mitigation], in order to achieve the ultimate objective of the Convention and to achieve sustainable and climate resilient development.]

Alternative to paragraphs 21-22:

[The shared vision shall also be guided by the precautionary principle, that are enshrined in the Convention to guide the international community in addressing climate change and take into account social and economic conditions and other relevant factors. The shared vision for long-term cooperative action aims to achieve sustainable and climate-compatible development and to enhance action on adaptation, mitigation, technology, finance and capacity-building, integrating the means of implementation needed to support action on adaptation and mitigation, in order to achieve the ultimate objective of the Convention.]

Alternative to paragraphs 1-22:

Alternative 1

[The “shared vision for long-term cooperative action, including a long-term global goal for emissions reductions”, integrates the four building blocks of the Bali Action Plan in a comprehensive and balanced manner, that would enhance the full, effective and sustained implementation of the Convention, and achieve its objective as set out in Article 2 of the Convention, including its ultimate objective and the parameters for the achievement of this ultimate objective, that is “to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner” and to this end, shall:

- (a) fully recognize that the shared vision is to be pursued “in accordance with the provisions and principles of the Convention” (para. 1 a of the BAP), as contained in its Article 3, in particular Articles 3.1 (protection of the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities) and 3.3, and shall take into account “social and economic conditions and other relevant factors”, through the full consideration of the economic and social impacts on developing countries, including impacts on the eradication of poverty, of any long-term global goal for emissions reductions;
- (b) recognize the right to, and the promotion of, sustainable development, as stated in Article 3.4 of the Convention, “taking into account that economic development is essential for adopting measures to address climate change”;
- (c) address all the implementation gaps to enable full, effective and sustained implementation of the Convention, now, up to and beyond 2012, on mitigation and adaptation commitments, and in particular those related to the provision of financial resources (Article 4.3) and to the promotion and transfer of technology (Article 4.5), in the context of Article 4.7 of the Convention;

- (d) give urgent and equal weight to action on adaptation and mitigation and fully implement all relevant Articles of the Convention recognizing that as developed country Parties fail to meet their mitigation commitments, the costs of adaptation for developing country Parties would significantly increase, and fully implement Article 4.4 of the Convention;
- (e) envision a long-term goal which successfully integrates the means of implementation (technology, financing and capacity-building) to enable and support mitigation and adaptation actions of developing country Parties (Article 4.7), and one that would demonstrate “that developed countries are taking the lead in modifying longer-term trends in anthropogenic emissions consistent with the objective of the Convention” (Article 4.2 (a)) through effective mechanisms and institutional arrangements.]

#### Alternative 2

The agreement on the shared vision for long-term cooperative action should address all aspects of the BAP and form the basis of a framework decision by the Conference of the Parties (COP), the scope of which should include:

- (a) The guiding principles and objective of the agreed outcome, including the scientific basis for decision making,
- (b) The quantified global goal of greenhouse gas emissions reductions agreed upon, for the short (2020) and the long (2050) terms, with the associated stabilization levels of greenhouse gases and global mean temperature rises. As well, the year of maximum global emissions and the differentiated contribution to the goal of all the groups of countries, Parties to the Convention and lead by developed countries,
- (c) The institutional framework and the contribution of the different groups of countries to the integration, implementation, monitoring and evaluation of the cooperative action on mitigation, adaptation, technology and financing.

The guiding principles of the Convention should support items b) and c) of the previous paragraph, in terms of common but differentiated responsibilities and respective capabilities; historical responsibilities in greenhouse gas emissions and the related historical ecological debt generated by the cumulative greenhouse gas emissions since 1750 and the most recent scientific information. The objective of the shared vision should be expressed as guidance to integrate the global cooperative action to enable the full, effective and sustained implementation of the Convention, from now, up to and beyond 2012. The previous should be linked to a series of more specific and mutually coherent agreements on the mitigation, adaptation, technology and financing issues, which should be respectively included in a series of COP decisions so as to complement the framework decision on the shared vision.

#### Alternative 3

The shared vision is to establish a global approach to addressing climate change through enhancing action by all countries to mitigate emissions of greenhouse gases and to provide adequate support for vulnerable countries to the impacts of climate change. Actions taken shall play a significant role in ensuring that global greenhouse gas concentrations in the atmosphere must be stabilized as far below 350 parts per million of carbon dioxide equivalent as possible, with temperature increases limited to as far below 1.5 degrees celsius above pre-industrial levels as possible. Action taken shall be a major contribution towards moving to a low greenhouse gas emission society that is compatible with sustainable development objectives and consistent with the principle of common but differentiated responsibilities and respective capabilities. The right to survival of all nations is a paramount objective.

#### Alternative 4

The discussion on a shared vision for long-term cooperative action is an exchange of views or ideas about how to enable the full, effective and sustained implementation of the Convention, focusing on the

way to implement long-term cooperative action under the framework of the Convention. A shared vision is for long-term cooperative action, such a vision should be guided by the ultimate objective of the Convention, which consists of the following three aspects: to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system; to adapt to the impacts of climate change; and to realize sustainable development. A shared vision for long-term cooperative action should be comprehensive and include mitigation, adaptation, finance, technology as well as sustainable development.

23. [Recalling Article 3, paragraphs 1 and 5, and Article 4, paragraphs 3 and 7 of the Convention, developed country Parties shall not resort to any form of unilateral measures, including countervailing border measures, against goods and services imported from developing countries on the grounds of protection and stabilization of climate.]

*Enhanced action on adaptation, mitigation, technology and financing*

24. There must be consistency between the global goal, mitigation commitments and actions by all developed country Parties and the provision by developed country Parties of technology, financing and capacity-building to support and enable nationally appropriate mitigation actions by developing country Parties. Should such enabling support be significant and consistent with needs, nationally appropriate mitigation actions by developing country Parties could achieve a substantial deviation from baseline and thus contribute to achieving the global goal. Should such enabling support remain insignificant, nationally appropriate mitigation actions by developing country Parties would remain limited, their greenhouse gas emissions would therefore increase accordingly and mitigation commitments and actions by all developed country Parties should then be increased to achieve the global goal without the contribution of developing country Parties.

25. The shared vision for long-term cooperative action recognizes the strong link between adaptation and mitigation as well as the cross-cutting role played by financing, technology transfer and capacity-building. Failure to implement ambitious and immediate mitigation actions by developed countries will increase the need for adaptation in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change and therefore for financial support. At the same time, increased financial support and technology transfer to developing countries will help these countries in their implementation of NAMAs, reducing the risk of triggering/crossing tipping points that could result in abrupt climate change.

*A long-term global goal for emission reductions [(with related medium-term goals and review process)]*

26. Taking into account the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, [the shared vision includes a long-term [aspirational] global goal for emission reductions that [is based on best available [science] [scientific evidence]] [and economic analysis] [takes into account robust scientific findings of the IPCC as accepted by the Parties] [recognizes the scale and urgency of the challenge as outlined in the IPCC AR4,] and [provides direction] intended to inspire long-term cooperative action, [making it sufficiently effective] to bring about the deep cuts in global emissions as well as realistic changes in emission patterns are urgently required to achieve the ultimate objective of the Convention [and minimize further climate change impacts on [vulnerable] developing countries as mentioned in preambular 19 of the Convention ]], that are particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change, with flexibility and diversity of nationally appropriate actions. The global goal for the reduction of greenhouse gas emissions should be

based on the most recent scientific knowledge, incorporating the ecological rationality of natural systems as one of its guiding principles, as this ultimately affects the dynamics of planet Earth and its climate, and to which the economic rationality should be subordinated. The emission reduction goals set for the short term and medium term should enable the fulfillment of this long-term goal.

27. [[The long-term global goal for emission reductions [shall] [should] reflect all elements of the Bali Action Plan, including mitigation, adaptation, finance and technology. It should be set] [In order to achieve the ultimate objective of the Convention as contained in its Article 2, the Parties shall work towards]

#### Option 1

[as a stabilization of GHG concentrations in the atmosphere at [400] [450 or lower] [not more than 450] [450] [least 450] ppm carbon dioxide equivalent (CO<sub>2</sub> eq) [and a temperature increase limited to] [so that there is a very low or low level of risk that the global mean temperature rise will be] 2 °C or below above the pre-industrial level [with a probability greater than 50 per cent] [, which requires reversing the trend of increasing global greenhouse gas emissions by 2020 at the latest]. For this purpose, the Parties [shall] [should] collectively [reduce global emissions by at least [50] [81–71] [85] per cent [from 1990] levels by 2050.] [set an emission reduction objective on the basis of historical responsibility and national circumstances.] ]

#### Option 2

[as a stabilization of GHG concentrations in the atmosphere well below 350 ppm CO<sub>2</sub> eq [and a temperature increase limited to below 1.5 °C above the pre-industrial level] [with a probability greater than 50 per cent of a temperature increase of less than 2 °C from pre-industrial level]. For this purpose, the Parties [shall] [should] collectively [reduce global emissions by [81–71] [more than 85] [at least 95] per cent from 1990 levels by 2050.] [set an emission reduction objective on the basis of historical responsibility and national circumstances.] ]

#### Option 3

[as a global temperature increase limited to 2 °C above the pre-industrial level.]

#### Option 4

[as a reduction in global average GHG emissions per capita to about 2 t CO<sub>2</sub>.]

#### Option 5

[on the basis of

##### Option 5.1

[historical responsibility and capacity and national circumstances.]

##### Option 5.2

[emissions debt.]

##### Option 5.3

[per capita accumulative emission convergence.] [The long-term global goal for emission reductions should be set as a statistically robust ceiling for the average global temperature increase strictly attributable to anthropogenic interference having a global effect, of [x] degrees Centigrade above mid-19th century levels, with per capita accumulative emission convergence between all Parties.]

##### Option 5.4

[an equitable allocation of the global atmospheric resources.]

Option 5.5

[sound science.]

Option 5.6

[economic and technological feasibility.]

Option 5.7

[supported and enabled by adequate technology, financing and capacity-building].]

Option 6

[The shared vision may include a long-term goal for global GHG emissions reductions of at least halving global emissions relative to 1990 levels by the middle of the 21<sup>st</sup> century, underpinned by ambitious mid-term targets, based on sound science and in accordance with the principles and provisions of the Convention.]

Alternative to paragraphs 26–27:

[The objective of this Agreement is to achieve an environmentally sound response to climate change through effective implementation of the Convention, with a view to achieving its ultimate objective as provided in its Article 2, by:

- (a) stabilizing atmospheric greenhouse gases at 450 parts per million carbon dioxide equivalent or lower, through unified long-term action that sets the world on a path by which global GHG emissions peak by [X] and then global GHG emissions reduce by [X] per cent by [X] on [X] levels; and
- (b) galvanizing greater attention and efforts towards adaptation at all levels to minimize the adverse impacts of climate change, to assist in building climate resilient communities and to enhance sustainable development.]

28. [Developed country Parties agree that they will, through their Carbon Neutral Strategy identify] [Emission pathways towards the long-term global goal for emission reduction require that global GHG emissions peak [between 2010 and 2013] [by 2015] [by 2020 at the latest] [in the next 10–15 years] [in the next 10–20 years]] and decrease thereafter, and the annual maximum reduction rate should be up to 4–5 per cent between 2015 and 2020. Developing country Parties should ensure that their emissions peak by 2025.

Alternative to paragraphs 27–28:

[All Parties should aim at a long-term goal of achieving at least fifty per cent reduction in global emissions of greenhouse gases from their current level by 2050, with a reference to scientific knowledge of the Intergovernmental Panel on Climate Change through realization of a low carbon society and development of innovative technologies. In order to achieve this goal, peaking-out of the global emissions of greenhouse gases in the next ten to twenty years, 2015 for developed countries and 2025 for developing countries, should be pursued and all Parties should share the vision on how to pave the way to reduce global emissions by 2050 with flexibility and diversity of nationally appropriate actions.]

29. Annex I Parties have agreed to clearly delineate their historical responsibilities and their respective contribution to the anthropogenic increase in greenhouse gas emissions. All Parties agree that this was crucial in our collective effort to combat the adverse effects of climate change. All Parties have further agreed that assigned amount calculated must reflect this historical contribution of the Annex I Parties in order to determine an equitable allocation of global atmospheric resources between the developed and the developing countries.

30. To this end, Annex I Parties shall ensure that [aggregate anthropogenic carbon dioxide equivalent emissions] [their emissions] do not exceed their assigned amounts, calculated to reflect the

full extent of their [historical responsibility and an equitable allocation of the global atmospheric resource.] [historical climate debt taking into account:]

- (a) Responsibility of Annex I Parties, individually and jointly, for current atmospheric concentrations of greenhouse gases;
- (b) The historical and current per-capita emissions originating in developed countries;
- (c) Technological, financial and institutional capacities;
- (d) The share of global emissions required by developing countries in order to meet their social and economic development needs, to eradicate poverty and to achieve the right to development.

31. [To this end, [developed country Parties] [Parties included in Annex I to the Convention (Annex I Parties)] [developed country Parties and other Parties included in Annex I to the Convention] [developed country Parties included in Annex II to the Convention (Annex II Parties)], as a group, [shall] [should] [reduce their [domestic] GHG emissions] [deeply cut their GHG emissions]:

- (a) [By at least 25–40] [By 25–40] [By more than 25–40] [In the order of 30] [By at least 40] [By 45] [By at least 45] per cent from 1990 levels by [2017] [2020], through domestic and international efforts [with further reductions to be achieved through policies and measures that promote sustainable lifestyles];
- (b) [And [in the range of 75–85] [by at least 85] [by at least 90] [by more than 95] per cent by 2050.]]

*Alternative to subparagraph 31 (b):*

[should transform their economies over the coming decades in order to collectively reduce their greenhouse gas emissions by 80–95 per cent by 2050 compared to 1990 levels.]

32. The difference between the assigned amounts of Annex I Parties and their actual GHG emissions shall be quantified [as an increase in their emissions debt/accumulated per capita emissions/use beyond their equitable allocation of the global atmospheric resources] [and shall provide the basis of] [as an input for the consideration of] fulfillment by Annex I Parties of their commitments to provide financing, technology and compensation to developing countries for mitigating and adapting to climate change.

33. In the light of a shared vision based on historic responsibility/emissions, debt/per-capita emissions convergence/an equitable allocation of a shared atmospheric resource, [and in accordance with the provisions of the Convention,] Annex I Parties shall provide new and additional financial resources to meet the full costs incurred by developing country Parties [in complying with their obligations under Article 12, paragraph 1, and the full incremental costs of implementing measures that are covered by Article 4, paragraph 1] [, particularly the most vulnerable countries including LDCs and SIDs, of meeting their commitments, towards the full, effective and sustained implementation of the Convention]. They shall also provide new and additional funding to cover the full incremental costs incurred by developing countries in implementing nationally appropriate mitigation actions undertaken in the context of sustainable development. Annex I Parties commit the amount of [ ] billion [Euros/dollars] in order to enable mitigation and adaptation actions in developing countries for the period now up to 2012. The [Conference of the] Parties shall periodically review the adequacy of levels of financing required to support mitigation and adaptation actions in developing countries, including a comprehensive review not later than 2011.

34. [Supported and enabled by technology, financing and capacity-building from developed country Parties, the GHG emissions of [developing country Parties][Parties not included in Annex I to the



Convention (non-Annex I Parties)], as a group, [shall] [should] [could] realistically change their emission patterns by :

- (a) [[Significantly deviate from the baseline by 2020] [Deviate in the order of 15–30 per cent below the baseline by 2020] [Deviating from the baseline by 2020];
- (b) [And] be reduced by 25 per cent from 2000 levels by 2050.]]

Alternatives to paragraph 34:

Alternative 1:

[Developing country Parties as a group, in particular the most advanced among them, shall achieve a substantial and quantifiable deviation in the order of 15–30 per cent below business as usual levels by 2020, respecting the principle of common but differentiated responsibilities and respective capabilities, supported and enabled by technology, financing and capacity-building.]

Alternative 2:

[Non-Annex I Parties should formulate and implement NAMAs in the context of sustainable development, in order to moderate the growth of GHG emissions to the extent commensurate with support provided, in terms of technology and finance, by developed countries.]

*Process of reviewing overall progress towards the ultimate objective of the Convention and actions related to mitigation, adaptation and means of implementation*

35. Option 1

[Parties shall periodically review the implementation by Parties of their commitments under the Convention, overall progress towards the ultimate objective of the Convention and actions related to mitigation, adaptation, finance, technology transfer and other means of implementation, in the light of [the best available scientific information] [, including an assessment of climate change and its impacts] [intergovernmental scientific] [the most up-to-date information released by the IPCC] [[as well as relevant technical, social and economic information,] [the most recent scientific information provided by the intergovernmental mechanism] and taking account of observed impacts and efforts made to adapt to climate change], bearing in mind the changes in circumstances of the Parties, including [a] comprehensive review [not later than 2016] [at least five years before the end of the commitment period], incorporating consideration of future emission reduction requirements and targets in the light of the [Fifth Assessment] [findings of the latest assessment] Report of the IPCC.]

Option 2 (*in the case of a long-term global goal as defined in paragraph 27, option 3, above*)

[The long-term global goal for emission reductions [shall] [should] be updated to reflect [progress in scientific knowledge] [inter-governmentally accepted scientific assessment of anthropogenic global climate change and its impacts]. [To allow for these updates, the 2 °C goal [shall] [should] be broken down into partial targets: initially, a 0.2 °C temperature increase per decade over 10 decades. Every 10 years, the partial target [shall] [should] be evaluated, with a view to possibly redefining it, taking into account [advances in scientific knowledge] [recommendations of the IPCC as agreed by the governments] and the reduction of uncertainties. In all cases, the probability of achieving the temperature goals should be greater than 50 per cent.]

Alternative to paragraph 35, option 2:

[This long-term target should be reviewed no later than 2015 and on a regular basis thereafter. Such a review must be informed by the experiences and observations of Parties, the findings of the IPCCAR5 and other relevant scientific information. The Conference of the Parties will be tasked with the responsibility of setting interim short-term targets and monitoring the achievement of these targets. In these reviews, adaptive risk management strategies, to compensate for shortfalls, should be utilized as

they allow for immediate progress and also permit for adjustment of strategies as actual outcomes and impacts in SIDS are observed. Where there are threats of serious or irreversible damage, the precautionary principle dictates that lack of full scientific certainty should not be used as a reason for postponing measures. In this context, the avoidance of further negative climate change impacts on SIDS must be one of the key benchmarks for assessing the adequacy of our long-term goal.]

### Option 3

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall undertake reviews of this Protocol, including the consideration of commitments of the Parties for subsequent periods, in the light of the best available scientific information and assessments on climate change and its impacts, as well as relevant technical, social and economic information, bearing in mind the changes in circumstances of the Parties. The first review shall take place at least five years before the end of the commitment period, and further reviews shall take place at regular intervals and in a timely manner. Based on these reviews, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take appropriate action, which may include the adoption of amendment to Annex B (commitments by developed country Parties) and Annex C (actions by developing country Parties). The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, identify elements, including the economic development stages, response capabilities and shares of greenhouse gas emissions in the world, to be considered as criteria for changes in circumstances of the Parties.

36. The new agreed post-2012 institutional arrangement and legal framework to be established for the implementation, monitoring, reporting and verification of the global cooperative action for mitigation, adaptation, technology and financing, should be set under the Convention. It should include a financial mechanism and a facilitative mechanism drawn up to facilitate the design, adoption and carrying out of public policies, as the prevailing instrument, to which the market rules and related dynamics should be subordinate, in order to assure the full, effective and sustained implementation of the Convention.

37. The new institutional arrangement will provide technical and financial support for developing countries in the following areas: (a) preparation, implementation and follow-up through monitoring, reporting and verification of nationally appropriate mitigation actions (NAMAs) by developing countries. These activities could include options to reduce emissions from deforestation and forest degradation (REDD); (b) preparation, implementation and follow-up of national adaptation programmes of action (NAPAs) or national communications in developing countries; (c) technology needs assessments (TNAs) for adaptation and mitigation under the NAMAs and the NAPAs or national communications of developing countries; (d) capacity-building and enabling environments for adaptation and mitigation in developing countries; (e) education, awareness raising and public participation, focused on youth, women and indigenous peoples; (f) design and implementation of adaptation programmes and projects; (g) support for all technological cycle phases: research and development (R&D), diffusion and transfer, including acquisition of technologies for adaptation and mitigation, including the purchase or flexibility of patents.

38. The scheme for the new institutional arrangement under the Convention will be based on three basic pillars: government; facilitative mechanism; and financial mechanism, and the basic organization of which will include the following:

- (a) The government will be ruled by the COP with the support of a new subsidiary body on adaptation, and of an Executive Board responsible for the management of the new funds and the related facilitative processes and bodies. The current Convention secretariat will operate as such, as appropriate.

- (b) The Convention's financial mechanism will include a multilateral climate change fund including five windows: (a) an Adaptation window, (b) a Compensation window, to address loss and damage from climate change impacts, including insurance, rehabilitation and compensatory components, (c) a Technology window; (d) a Mitigation window; and (e) a REDD window, to support a multi-phases process for positive forest incentives relating to REDD actions.
- (c) The Convention's facilitative mechanism will include: (a) work programmes for adaptation and mitigation; (b) a long-term REDD process; (c) a short-term technology action plan; (d) an expert group on adaptation established by the subsidiary body on adaptation, and expert groups on mitigation, technologies and on monitoring, reporting and verification; and (e) an international registry for the monitoring, reporting and verification of compliance of emission reduction commitments, and the transfer of technical and financial resources from developed countries to developing countries. The secretariat will provide technical and administrative support, including a new centre for information exchange.

Alternative to paragraph 1–38

[The shared vision shall take the form of preambular text that encapsulates both the long-term global goal and pulls together the other elements of the agreed outcome, in the following form:

The Conference of the Parties,

Seeking to further implement the Convention, in light of evolving science and mindful of evolving economic development and emissions trends,

Recognizing, in the light of Article 2 (objective) of the Convention, the importance of identifying one or more reference points in the mid-century timeframe that can guide the efforts of the Parties and the international community and against which aggregate global efforts can be continually assessed,

Considering, in that regard, that [ ] is/are desirable global indicator(s),

Having a shared vision of [summary that ties together the elements of the agreement],

Hereby adopts [an implementing agreement].]

Annex II**Enhanced action on adaptation and its means of implementation**

This text reflects progress in the consolidation efforts undertaken by the facilitators of the informal group on adaptation on paragraphs 18–54 (pages 23–67) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1) arising from the deliberations at the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

The consolidation of the adaptation chapter has been undertaken in line with the approach agreed by the informal group on adaptation at the informal meeting.

Separate numbering, in the form of PP.1, PP.2, etc., has been allocated to the preambular paragraphs in the adaptation chapter.

The numbering of the operative paragraphs starts from 1, for ease of reading and for easier integration into the larger text at a later stage. The change in numbering is tracked in the explanatory tables contained in annex II to document FCCC/AWGLCA/2009/INF.2/Add.1.

Minor editorial changes have been made within the text, where necessary, for grammatical consistency and accuracy. These do not, however, change the substantive meaning of any part of the text.

There are two types of explanatory table:

- The first, contained in document FCCC/AWGLCA/2009/INF.2/Add.1, tabulates the paragraph numbers in this consolidated text, shows from which paragraphs in document FCCC/AWGLCA/2009/INF.1 they originate, and explains the rationale and consolidation processes behind the new paragraphs;
- The second type of table, available on the UNFCCC website at <http://unfccc.int/4381.php>, maps the paragraph numbers from document FCCC/AWGLCA/2009/INF.1 and shows where the text in those paragraphs can now be found in the consolidated text.

Structural proposals:

- 1) *Revise the structure of the chapter to reflect all aspects of adaptation action, support and institutions in an integrative manner.*
- 2) *Organize provisions according to paragraph 1 (c) (i–v) of the Bali Action Plan.*
- 3) *Organize provisions according to, and referring back to, relevant Articles of the Convention.*
- 4) *Move overarching objectives and principles to chapter I on a shared vision.*
- 5) *Distinguish common responsibilities in adaptation of all Parties from differentiated responsibilities taking account of respective capabilities and according to national circumstances.*
- 6) *Consolidate all provisions related to support for adaptation into chapter II, section B, on the implementation of adaptation action.*
- 7) *Move aspects related to adaptation finance to chapter IV, section A, on finance.*
- 8) *Move chapter II, section D, which relates to risk reduction, management and sharing, to chapter II, section B, on the implementation of adaptation action.*
- 9) *Move aspects related to institutional arrangements to chapter II, section E, on institutional arrangements.*
- 10) *Structure the adaptation chapter into six sections as follows:*
  - *A section on objectives;*
  - *A section on the role of the UNFCCC;*
  - *A section on guiding principles;*
  - *A section on implementation of adaptation actions;*
  - *A section on institutional arrangements;*
  - *A section on monitoring and review of adaptation action and support.*
- 11) *Move the bulk of the current section D, which relates to risk reduction, management and sharing, into the section on the implementation of adaptation actions.*
- 12) *Do not include the current section C on means of implementation as a section within the adaptation chapter. This section should be considered under the financing, technology and capacity-building chapter.*
- 13) *Include a section on 'Research and Systematic Observation'.*
- 14) *Move aspects of micro-insurance and risk pooling, currently included in chapter II, section B, on the implementation of adaptation action, to chapter II, section D, which relates to risk reduction, management and sharing.*

[The Parties,

PP.1 Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Convention”,

PP.2 In further pursuit of the ultimate objective of the Convention as stated in its Article 2,

PP.3 Recalling [the provisions of the Convention] [Article 4.1 of the Convention, which states that all countries have a responsibility to cooperate in preparing for adaptation to the impacts of climate change],

PP.4 Being guided by Articles 3.2, 3.3, 4.3 and 4.4,

PP.5 Recalling the Bali Action Plan adopted as decision 1/CP.13 by the Conference of Parties (COP) to the Convention at its thirteenth session,

PP.6 Recognizing the responsibilities of Parties under Principle 21 of the Stockholm declaration, which stipulates that activities within their jurisdiction or control of States do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

PP.7 Recognizing existing commitments and agreements concerning development responsibilities, including the Monterrey Consensus on financing for development and the Paris Declaration on Aid Effectiveness,

PP.8 Being further guided by the Barbados Programme of Action and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

PP.9 Recognizing that climate change poses a serious threat to social and economic development of all Parties,

PP.10 Acknowledging the need to accelerate action to address the adverse effects of climate change,

PP.11 Further acknowledging the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change that warming of the climate system is unequivocal, and that delay in reducing emissions significantly constrains opportunities to achieve low stabilization levels and increase the rise of more severe climate change impacts,

PP.12 [Emphasizing][Recognizing] the urgency [and the immediacy of the climate change problem][to address climate change as indicated in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change],

PP.13 Noting that adaptation and mitigation efforts should be given equal consideration;

PP.14 Recognizing that deep cuts in global emissions will be required to achieve the ultimate objective of the Convention,

PP.15 Taking into account that although meeting adaptation needs is already an urgent necessity, it is clear that early and ambitious emission reduction by developed country Parties will decrease the effort and funding needed for adaptation. Poor mitigation commitments and actions will impose a higher demand on adaptation measures and will require additional funding,

PP.16 Recognizing their responsibilities to urgently mitigate emissions that are, by causing climate change, damaging, and will continue to damage, areas beyond their national jurisdiction,

PP.17 Recognizing that adaptation occurs at local, regional and national levels, and is an inherent part of development planning and implementation,

PP.18 Noting that there are major differences among the different regions of the world, and the States which they comprise, in terms of environmental, economic and social conditions and the level of development which will lead to different judgments on priorities in addressing problems related to adaptation to climate change,

PP.19 [Recognizing, and giving full consideration to, adaptation as an additional burden to developing countries, and which must address the specific needs and special circumstances of all developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change,]

PP.20 [Recognizing][Noting] that [the LDCs and SIDS][low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems] are particularly [the most] vulnerable to the adverse impacts of climate change [and that these groups of countries will suffer disproportionately],

PP.21 [Recognizing that][Bearing in mind] [the specific needs and special circumstances] [special adaptation needs] of [the economically vulnerable] developing [countries][country Parties] [that are particularly dependent on fossil fuel production, use, and exportation, and][, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing countries Parties,] that would have to bear a disproportionate or abnormal burden [under the Convention], should be given full consideration,

PP.22 Recognizing the value of leveraging the work of existing organizations and institutions already involved in addressing climate-related risks and opportunities.

#### **A. Objectives, scope and guiding principles**

1. Adaptation is a challenge shared by all Parties.
2. Adaptation to the adverse effects of climate change is an urgent global problem that requires long-term and coordinated actions, based on solidarity, and a shared responsibility for facilitating and mobilizing support and action on adaptation.
3. [International cooperation on adaptation [is urgent and] shall be accorded the same level of priority and emphasis as that given to mitigation.]
4. The Parties, in recognizing the need for greater efforts to adapt to climate change, agree to further enhance the implementation of their common obligations under Article 4.1(e) of the Convention.
5. For the purposes of this agreement, the definitions contained in Article 1 of the Convention shall apply. In addition:
  - (a) "Conference of the Parties" means the Conference of the Parties to the Convention;
  - (b) "Convention" means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992;
  - (c) "Particularly vulnerable developing countries" are developing country Parties that are particularly vulnerable to the adverse effects of climate change, especially least developed countries and small island developing States and countries in Africa affected by drought, desertification and floods;

(d) “Party” means, unless the context indicates otherwise, a Party to this agreement.

6. Articulation of vulnerability should be consistent with the Bali Action Plan, and be consistent throughout the text.

7.

#### Option 1

[Adaptation should encompass only action to respond to the adverse effects of climate change [in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change] [Priority should be given to vulnerable groups and vulnerable sectors based on national circumstances in developing countries as informed by the best available science, and based on scientific and traditional knowledge, as appropriate, and environmentally sound, economically efficient, and socially acceptable development, and that promotes on-the-ground results in line with environmentally, economically and socially sound development].]

#### Option 2

[[Adaptation also encompasses [adaptation] [actions to respond to the adverse effects of climate change as well as] to the impact of the implementation of response measures.] [Adaptation actions should encompass action to respond to the adverse impacts of climate change, reducing vulnerability to climate variability and climate change, and mitigating the adverse impacts of response measures.] [Adaptation should encompass the adverse impacts of climate change on vulnerable developing countries and the LDCs (Article 4.8 and 4.9) as well as the impact of response measures (Article 4.10).]]

8. Adaptation to the adverse effects of climate change is aimed at reducing the vulnerability and increasing the resilience of ecological, social and economic systems to present and future climatic changes, in order to minimize the threats to life and livelihoods, assets, amenities, ecosystems and sustainable development.

9. Parties, working collectively and taking into account their common but differentiated responsibilities and respective capabilities, should:

- (a) Exchange information and knowledge at the local, regional, and international levels in a manner that allows for sharing of best practices and lessons learned to facilitate scaled up action on adaptation;
- (b) Enhance data collection and availability to inform adaptation planning;
- (c) Build capacity for enabling environments in a manner that leads to progress on adaptation;
- (d) Enhance coherence and facilitate linkages with other international, regional and national organizations, programmes, and bodies that are implementing adaptation-related actions.

10. [International [adaptation action and] cooperation [shall] [should] [galvanize greater attention and efforts towards adaptation at all levels to:] [be enhanced with a view to:]

- (a) [Prevent, reduce or minimize the adverse effects of climate change, particularly on the most vulnerable developing countries, namely: the LDCs, the SIDS and the African countries affected by drought, as well as the poorest and most vulnerable populations in other developing countries such as those in central America] [Minimize the adverse



impacts of climate change, to assist in building climate resilient communities and to enhance sustainable development];

- (b) Facilitating, [supporting and implementing] [[and supporting] the implementation of] [urgent and immediate, medium- and long-term] [actions on] adaptation [action] [to the adverse effects of climate change in an effective, efficient, equitable, transparent, coherent and timely manner] [by] [of] [all] [developing countries] Parties at local, [sub-national,] [national,] regional and global levels[, to respond effectively, coherently and in a timely manner to current and future impacts of climate change, and impacts of response measures] [particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change, through financial, technological and capacity building support by developed countries considering their historical responsibility];
- (c) [As elaborated in the Bali Action Plan, paragraph 1(c), mobilize action on adaptation at all levels that responds to the impacts that are already occurring and is sufficient to address the impacts that are expected to occur in the future, taking into account the urgent and immediate needs of developing countries that are particularly vulnerable to the adverse effects of climate change, especially the least developed countries and small island developing States, and further taking into account the needs of countries in Africa affected by drought, desertification and floods;]]

11. [Such cooperation [shall] [should] [must] [be enabled] [be supported] [assisted, where appropriate] [by] [from] [means of implementation] [developed country Parties] [with a view to facilitating, supporting and implementing] [the asymmetries and] the [urgent and immediate], medium and long-term adaptation action [specific] needs [and special circumstances] [so as to respond effectively, coherently and in a timely manner to current and future impacts of climate change] [take into account] [be prioritized] [prioritize] [for] [all] [developing] [the least developed] [countries] [especially those] [in Africa and other developing countries] [that are [particularly] vulnerable to the adverse effects of climate change] [that are least able to adapt] [including by taking their urgent and immediate needs into account] [as stated in preambular paragraph 19 and Article 3.2 of the Convention] [and countries whose economies are highly dependent on income generated from production, processing and export, and/or consumption of fossil fuels and associated energy-intensive products (Article 4.8 (h)) [and be consistent with national priorities and development objectives at the national level and coordinated at the regional level, where appropriate, especially between countries with shared natural resources with a view to enhancing coordinated and collective adaptation actions].]

12. [[The COP shall [adopt] [establish]] a comprehensive, [strategic] [robust] [flexible] [cooperative] [structured] [country-driven] and action-oriented [adaptation] [framework [of implementation]] [programme] [implementation framework/strategy/programme] [mechanism] [for] [adaptation and its means of implementation] [action on adaptation to the adverse effects of climate change] [on the implementation of adaptation action] [which includes an overarching policy strategy designed to stimulate actions to support domestic adaptation] [shall be adopted] [is [hereby] established] [under the guidance of the Convention] [based on the principles and obligations under the Convention] [and based on the principles and obligations acquired under it due to their historical GHG emissions] [whose objectives [are] [is:] to:

- (a) [Catalyse greater action on adaptation at all levels] [Galvanize national and international support for adaptation priorities in a range of sectors] [Enhance long-term cooperative action on adaptation in a manner that reduces the adverse effects of climate change and builds resilience to its impacts];

- (b) [Enable, support and implement] [guide] [enable] [all Parties] [adaptation processes] [adaptation action, [and] [in order]] to reduce vulnerability [and build resilience [for all populations]] to the adverse impacts of climate change [and to recognize and honour the adaptation debt of developed countries] [by all Parties] [in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change];
- (c) [[Provide a comprehensive and structured approach to] Enable, support, facilitate and implement [urgent and immediate, medium- and long-term] adaptation actions, [by ensuring] [including through the provision of] the predictable, [stable,] adequate and timely flow of new and additional financial resources and the [development, deployment, diffusion, and] transfer of technology to [support] [enable urgent and immediate] national, [subnational,] regional, and subregional adaptation projects and programmes [to address the adverse effects of climate change] in all developing countries, [particularly LDCs and SIDS] [in accordance with the preamble of the Convention (preambular paragraphs 19 and 20) and its Article 4.4, 4.8 and 4.9];]
- (d) [Facilitate and mobilize support and actions on adaptation, to guide the Parties and to provide a basis for their activities to adapt to the adverse impacts of climate change. Parties are encouraged to take the framework into account in their cooperation with and support to relevant intergovernmental, regional and non governmental organisations as well as the private sector. The framework for action on adaptation should be guided and informed by Convention Articles 4.1 (b), (e) and (f), and will facilitate the implementation of adaptation action.]
- (e) Help Parties build a robust approach in their respective adaptation efforts;
- (f) Support and enhance the implementation of national adaptation plans;
- (g) [Promote] [enhance] climate-resilient development, [including enhancing resilience of most vulnerable communities, particularly in most vulnerable countries through the implementation of concrete, integrated and practical adaptation programmes] [in a manner that is practical, informed by the best science, environmentally sound, and economically efficient, and that promotes on-the-ground results;]
- (h) Encourage the development and implementation of modalities of inter-State cooperation to respond to the needs of affected populations who either cross on international frontiers as a result of or find themselves abroad and are unable to return owing to the adverse effects of climate change.]

13. [[Priority should be given to] [The [implementation of the] adaptation [framework] [programme] [strategy] [shall] [should] [apply for] [prioritize] [give priority to] [address the concerns of] [address the needs to implement adaptation actions in] [build the resilience of] [take into account]] [the urgent and immediate] [adaptation] [needs of] [the] [those] [most vulnerable to [the adverse effects of] climate change [impacts]] [that are least able to adapt] [be consistent with the specific needs and concerns of the developing country Parties arising from the adverse effects of climate change arising out of]

- (a) [The] [All] [Particularly vulnerable] [Poor] [developing] [countries] [country Parties] [that are particularly vulnerable to the adverse effects of climate change] [as defined in preambular paragraph 19 and the BAP and taking into account Article 3.2 of the Convention] [especially those identified as the most vulnerable, as is stated in the

Convention, in paragraphs 19 and 20 of the preamble, as well as in Article 4.4, 4.8 and 4.9] [especially] [particularly] [including]:

- (i) [[The LDCs and SIDS] [and [further taking into account the needs of] countries in Africa affected by drought, desertification and floods];]
- (ii) [Low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas [forested areas and areas liable to forest decay] or areas liable to floods, drought and desertification, [archipelagic countries,] and developing countries with fragile [ecosystems, including] mountainous [and highland] ecosystems [, estuaries, coastal wetlands, mangroves, coral reefs, sea-grass beds, and sand dunes with particular attention to sedimentations as well] [that are particularly vulnerable to the adverse effects of climate change, inter alia] [and landlocked [and transit] countries;] [Countries with unique biodiversity, [tropical] and mountainous glaciers and fragile ecosystems]; [Countries with economies that are highly dependent on income generated from the production, processing and export, and/or consumption of fossil -intensive products [and/or the use of fossil fuels for which such Parties have serious difficulties in switching to alternatives]] [Countries with areas prone to natural disasters] [Countries with areas of high urban atmospheric pollution];]
- (b) [[Particularly vulnerable populations, groups and communities] [All vulnerable groups whose adaptive capacity is low] [Groups requiring special protection] [The most vulnerable communities and groups] [especially] [such as] women [and] children [the elderly and indigenous peoples] [, and local communities and rural populations] [including through promoting a gender perspective and a community-based approach to adaptation] [in particular gender and youth concerns, recognizing that women and children are particularly affected by the impacts of climate change];]
- (c) [Particularly vulnerable ecosystems and species, including through promoting [an ecosystem [based] approach to adaptation] [or] sustainable ecosystem management, conservation and restoration activities, where appropriate, to support adaptation.]]

14. [[The adaptation framework shall be catalytic and established based on following assumptions:] [The following principles should guide the implementation of adaptation action:] [The implementation of the adaptation [framework][programme] [shall][should] be undertaken in the context of the following:] [Enhanced action on adaptation now, up to and beyond 2012 should:] [Adaptation planning and implementation by all Parties shall be [guided by principles of]:] [In their actions to achieve the objective of the adaptation framework, Parties should be guided, inter alia, by the following considerations:] [In furthering the implementation of the adaptation framework, Parties should be guided, inter alia, by the following, in the context of national adaptation planning processes and activities:]

- (a) [Adaptation efforts should] [be country-driven] [where national governments identify and communicate needs, priorities, and responses that are aligned with national priorities and that will enhance their capacities to adapt] [and context specific, responding to local needs, and ensuring that decisions are taken in line with the principle of subsidiarity];
- (b) [Adaptation to climate change impacts should be addressed at the local, subnational, national and regional levels, as appropriate] [Ensure that adaptation action is implemented and coordinated at the most appropriate level, including at local, sub-national, national and regional levels, recognizing the important role of national governments] [[Subsidiarity, with adaptation] respond[ing] to local needs [and decisions being taken at [all required levels, including] the [lowest] [possible] appropriate level]] [taking into account the country-driven approach, especially the indigenous peoples' and

the local communities' views and the most vulnerable groups, such as indigenous peoples, the artisanal fishermen, women, children, and elderly, among others];

- (c) [Be [undertaken within a nationally coordinated approach] [consistent with] [integrated] [inserted] [into] local, [subnational], national [and regional] [development objectives], [programmes] [plans] [and policies] [and coordinated with regional programmes without compromising the countries' sovereignty];]
- (d) [Be consistent with priorities and development objectives at the national level and coordinated at the regional level, where appropriate, especially between countries with shared natural resources aimed at enhancing collective adaptation actions] [Support the establishment of flexible long-term processes and mechanisms for adaptation in recognition of the long-term nature of climate change impacts, respective adaptation and climate-resilient development. Adaptation should be consistent with local, subnational, national and regional development objectives, programmes and plans, and should take into account ecosystem feedbacks to promote poverty reduction and long-term resilience];
- (e) [[Integration of adaptation into existing and future planning and decision making structures, tools and budgets] [Consideration of adaptation during national and sectoral planning, through an integrated and programmatic approach] [Encourage the integration of adaptation into development plans, programmes, and priorities] [Facilitate and promote an integrated cross-sectoral [best practice] approach] [Promote cross sectoral priorities especially integrated land and water resources management] [Adaptation planning should integrate land and water resources management at the ecosystem, watershed, or other appropriate scale];]
- (f) [Be undertaken in a holistic, programmatic [and integrative] manner [, avoiding [stand-alone] [fragmentation of] adaptation action and support thereof];]
- (g) Ensure that adaptation actions deliver no-regret and multiple-benefit measures and avoid mal-adaptation and conflict;
- (h) [Promoting [climate-resilient] [sustainable] development [in a manner that is practical, informed by the best available science and traditional knowledge as appropriate, environmentally sound, and [economically efficient] socially acceptable, and that promotes on-the-ground results in line with environmentally, economically and socially sound development]] [Risk reduction should be pursued to build resilience to climate change impacts];
- (i) Protect and sustainably manage the natural resource base, and recognize that ecosystems and the goods and services they provide (such as water, food, soil protection and carbon capture etc.) underpin resilience and are fundamental to support human adaptation and sustainable development;
- (j) [Be supportive of national institutional arrangements] [Strong enabling environments include appropriate policy, legal and regulatory frameworks, and well-functioning markets that provide a foundation for increased flows of investment];
- (k) Operationalize adaptation through existing and proven institutions and process including ecosystem-based management and integrated coastal and ocean management and processes at local, national and regional scales;
- (l) [Be flexible, [bottom-up], [results-based] and country-driven, involving all relevant stakeholders, [including women], with a view to enhancing [ownership] [joint robust

governance] [at local, [subnational], national and regional levels] [of the process of building resilience] [of the implementation of adaptation actions [, including ownership of the means of implementation provided]]];]

- (m) [Plan and implement adaptation actions in a transparent and well documented way which is open to public scrutiny and discourse. Ensure the representation of key stakeholders, especially representatives of vulnerable communities, marginalized groups, women, and indigenous peoples at every stage of the process as appropriate – including in the governance and disbursement of adaptation finance, planning, implementation, monitoring and reporting] [Encourage the engagement of a wide range of stakeholders, including the private sector and civil society, in supporting and implementing adaptation action in developing country Parties] [Inclusive dialogue with all relevant stakeholders to be promoted in the identification of priorities] [Create arenas for sharing information and good practices, and forums where different public and private stakeholders can discuss concrete challenges];
- (n) [[Adaptation should be based on a solid foundation of] [Be guided and informed by] [[sound] scientific and technological knowledge][, including] [emerging] scientific findings, by [continuous learning and] [[evidence-based vulnerability] assessment processes] [[, and by] [including] traditional knowledge] [Be informed by the best available scientific research, observation and assessment on climate change, impacts and vulnerabilities, and adaptation, be environmentally sound, economically efficient, effective and should promote on-the-ground results] [Reflect indigenous knowledge and practice] [Enhance, support and promote the local traditional adaptation methods which have been experienced historically and successfully];]
- (o) [[Adopt a learning-by-doing approach] [on adaptation planning and implementation, recognizing the urgency to adapt in the absence of complete information and the need to develop and implement flexible plans and programmes that can be updated on the basis of new information and learning]] [Take into account the learning-by-doing approach and replicate it] [Support documentation and the scaling up of best practices of implementation in community and national adaptation projects];
- (p) [[Be supported by [coherent international support] [improved access to] [new], predictable, sustainable, [timely], adequate [sufficient] and stable financial resources [and technical support]][provided by developed country/Annex II Parties] [from developed countries and] [additional to [resources provided by developed country Parties to meet their] official development assistance (ODA) targets] through a coherent institutional mechanism established under the Convention to channel financial and technical resources;] [Financial support [and technology support] [as commitments of] [provided by] developed country Parties [under the Convention] to enhance adaptation actions in developing countries shall be predictable, adequate, new and additional to ODA in a timely manner] [Facilitate direct access to finance];]
- (q) [Adhere to] the precautionary principle [, agreed upon in Principle 15 of the Rio Declaration and Article 3.3 of Convention, in adaptation planning, decision-making and implementation, with regard to the scale and nature of adaptation actions and to prevent maladaptation. Any lack of full scientific certainty should not be used as a reason to postpone or scale down action on adaptation];
- (r) [[Be based on] [The international application of] [the polluter pays principle] [considering historical emissions];]

- (s) [Be equitable, effective, efficient and transparent] [Accountability, effectiveness, efficiency and transparency should guide all adaptation actions;]
- (t) [Be [consistent with [the Articles] [the provisions]] [[strictly] guided by the principles [and commitments]] of the Convention;]
- (u) Promote coherence in the way that adaptation is addressed under the Convention;
- (v) [[[Be legally binding, and] [Include] [legally-binding] provisions for ensuring the compliance of Annex II Parties with their financial commitments to support enhanced action on adaptation in developing countries] [Provisions for ensuring the compliance of developed country Parties with their financial and technology transfer commitments shall be legally binding];]
- (w) Build upon [existing processes and mechanisms] [experiences and lessons learned from past and ongoing adaptation actions], including [national, regional and local policies, measures and strategies,] the Nairobi work programme, NAPAs, Technology Needs Assessments (TNAs), the financial needs assessments under the NEEDS project conducted by the secretariat, for those developing countries that have undertaken, or will undertake these actions [and traditional practices];
- (x) [Enhance bilateral and regional cooperation in accordance with existing legal frameworks, where appropriate, especially between countries with shared or trans-boundary resources] [Enable regional assessments of vulnerability and of impacts of adaptation actions and measures between countries with shared natural resources];
- (y) [[[Be consistent with the principles under] [Take into account, where possible principles of other relevant Conventions] [Promote synergies with other relevant international agreements] [Facilitate linkages with] [such as] [similar activities being undertaken, if any, in pursuance of] the Convention on Biological Diversity, the United Nations Convention to Combat Desertification, [and] [relevant Declarations including] the United Nations Declaration on the Rights of Indigenous Peoples and the Convention on the Elimination of all forms of Discrimination Against Women [among others]] [Recognise the need to respect indigenous rights and be consistent with relevant international instruments, obligations and laws];]
- (z) The respect for, protection and promotion of the fundamental human rights and basic rights as outlined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, International Covenant on Cultural and Political Rights and other relevant conventions and treaties.]

15. [Taking into account the urgent and immediate needs of developing countries that are particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS, and further taking into account the needs of countries in Africa affected by drought, desertification and floods,] It (the framework/strategy/programme) [shall] [should] [encompass provisions for:] [consist of:] [cover areas for enhanced action, including, inter alia:] [provide support and facilitate urgent and immediate adaptation action that reduces vulnerability and builds resilience of developing countries to impacts that are already occurring, including impacts of droughts and increasing numbers of extreme weather events, and impacts that are expected to occur in the future by:] [develop and implement a structured but flexible country-driven approach to adaptation that provides for:]

- (a) [Integrating adaptation into development and sectoral policies and practices, to ensure their effectiveness and sustainability;]

- (b) [National-level adaptation planning and implementation mechanisms, establishing and building on existing processes and methodologies where available and appropriate, for example national reports including national communications or NAPAs, as appropriate;]
- (c) [Implementation of] [Implementing] [urgent and immediate [, medium- and long-term]] adaptation action [at national, regional and global levels] [in all developing countr[y][ies] [Parties], particularly [particularly LDCs and SIDS, supported by developed country Parties] [low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change]], including:
  - (i) [Establishing and strengthening] Enabling [activities][environments] [(policy, legislative and institutional)] [to] [that] [directly] support [enable, enhance and incentivize] [implementation of] adaptation [planning] [projects and programmes] [action], including [the insertion of climate change considerations into national development plans, and, but not limited to,] the preparation of [local,] national, [and regional] adaptation plans [and projects] (as referred to in paragraph 17 below) [to promote robust, resilient economic growth to benefit societies at all levels of development];
  - (ii) [Development and implementation of short, medium and long-term National Adaptation Programmes;]
  - (iii) [Adaptation actions, [including [but not limited to, as outlined in decisions 1/CP.10 and 5/CP.7,]] [economic diversification among others especially those identified in the national adaptation plans (refer to decisions 1/CP.10 and 5/CP.7)] [[those] identified in the national adaptation plans] [and in national, regional and local adaptation plans and projects] [national communications, NAPAs, technology needs assessments and other relevant national strategies] [that incorporate ecosystem strategies where appropriate];]
  - (iv) [Priority actions under adaptation targeting the needs of the developing country Parties that are particularly vulnerable to the adverse effects of climate change, especially least developed countries and small island developing States and countries in Africa affected by drought, desertification and floods;]
  - (v) Risk reduction and management;
- (d) [[Providing access to] [Mobilizing] Means of implementation, [to be provided to developing countries by developed countries] including [support, in terms of] finance, technology and capacity-building [for adaptation] [for implementing urgent and immediate adaptation action, at regional and country levels];]
- (e) [New, additional and predictable financial resources separate and apart from ODA that are supported by appropriate institutional mechanisms;] [A dedicated funding mechanism for adaptation;]
- (f) [[Support for] [Supporting] the implementation of [NAPAs] [immediate priorities and needs as identified in NAPAs and other relevant documents];]
- (g) [Enhanced capacity at all levels in developing country Parties that are particularly vulnerable to the adverse effects of climate change, especially least developed countries and small island developing States and countries in Africa affected by drought, desertification and floods;]

- (h) [Knowledge sharing, and transfer of adaptation technologies;] [Improving the knowledge and information bases including through research and systematic observation;]
- (i) [Risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance through a mechanism to address loss and damage from climate change impacts;] [Risk reduction, management, [prevention] and sharing, including insurance [and addressing loss and damages] that do not simply distribute the risk among the already vulnerable;]
- (j) [Coordination and integration with risk assessment and management, recognizing the Hyogo Framework for Action as the main vehicle for disaster risk reduction;]  
[Strengthening synergies and coherence with other adaptation related efforts, such as the Hyogo Framework for Action, for example with measures to prevent, reduce, manage and share risk, including early warning systems, spatial planning and insurance-related activities;]
- (k) [Institutional arrangements [on adaptation under the Convention, which shall include a facilitative mechanism, with an expert panel, a permanent programme on adaptation, as well as a financial mechanism] [under the Convention process that co-ordinate adaptation efforts at the international and regional levels to support country-driven priorities];]
- (l) [[Promoting coherence and] facilitating linkages with other international, regional and national programmes, bodies and stakeholders that are implementing adaptation and related activities [, including the Nairobi Work Programme]] [Facilitate linkages with local, subnational, national and regional development objectives where possible;]
- (m) [Monitoring and reviewing of [[effectiveness of] adaptation [action] [and support]] [the financial support to adaptation implementation such as transfer of financial resources for technology transfer, capacity-building and systematic research and observation];]
- (n) Reducing the impact of response measures on developing countries through, inter alia, economic diversification;
- (o) Reducing vulnerability at local level.

#### **B. Implementation [of adaptation action]**

*[Enabling [activities] [environments]] [International cooperation and support] to support adaptation action*

16. [With a view to promoting adaptation planning] [all] Parties should:
- (a) Implement planning that is multi-sectoral, includes prioritization of adaptation actions, gives priority to the most vulnerable, and makes use of the best available scientific information and analytical tools;
  - (b) Promote climate-resilient development in a manner that is practical, informed by the best science, environmentally sound, and economically efficient, and that promotes on-the-ground results;
  - (c) Identify, on a continuous basis, their country-specific adaptation needs, options and priorities, taking into account their existing capacities and past and current adaptation activities;



- (d) [Prioritize the needs and specific circumstances of the poorest and most vulnerable people and indigenous groups in planning and development processes at the local, sectoral and national levels.]

17. [[All] [Parties] [All developing country Parties] [, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems]] [Particularly vulnerable developing country Parties] [LDCs and SIDS] [with financial support from the Convention Adaptation Fund, technical support and capacity-building] [shall] [should] [may] [on voluntary bases] [formulate] [develop] [[periodically] update] [review] [and report on] [and make available to the COP] [their] [national [and/or thematic areas,] adaptation plans [and their implementation]] [national adaptation planning] [NAPAs] [national action programmes on adaptation] [within [X] years]. [through] [inter alia] [as a means of] assessing [current and potential impacts of climate change] [and developing strategies to reduce these impacts through the implementation of adaptation action], identifying, costing and prioritizing their urgent and immediate, and medium and long-term, adaptation [actions and] needs, including needs related to risk management, reduction and [sharing], [that are consistent with] [on the basis of] national [and sectoral] priorities [and strategies]. [National adaptation plans may be developed and implemented at different time scales depending upon national circumstances.]

18. [Developing countries that are particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS, and further taking into account the needs of countries in Africa affected by drought, desertification and floods, shall be provided with financial and technical assistance to develop and implement national adaptation plans, and to support the implementation of adaptation actions as a means of building resilience to the impacts of climate change.] [Adequate finance must be provided for the implementation of NAPAs. In addition, finance must be provided to all developing country Parties to enable the formulation of their national adaptation plans.] [Parties should commit to promoting adaptation to climate change by cooperating to build capacities and mobilize resources for the development and implementation of such programmes, in particular for the LDCs.]

19. [[These plans] [National adaptation programmes and activities] [shall] [should] [could] [be a component of low-emission development strategies and]:

- (a) Be consistent with the particulars provided under the international framework of adaptation;
- (b) Be developed through broad and wide consultations of stakeholders, taking into account gender consideration and the most vulnerable groups and be country driven and approved by the highest political levels within the country and communicated to the COP;
- (c) [[Catalyse] [Support] actions [in and across different sectors], promoting efficient [and effective] use of the financial resources for adaptation provided by developed country Parties under the Convention;]
- (d) Indicate areas of immediate action and support in terms of means of implementation;
- (e) [Emphasize [programmatic approaches], while also recognizing a place for adaptation projects [under certain circumstances];]
- (f) [Inform domestic action and the [provision] [allocation] of increased international financial support, possibly forming a component of a country's sustainable development plan;]
- (g) [Be used to report on the effectiveness of adaptation actions in meeting stated objectives;]

- (h) [[Consider the synergy between and the multiple benefits of adaptation and mitigation measures, including those within which options concerning reducing emissions from deforestation and forest degradation in developing countries (REDD) are particularly relevant;] [Indicate, where possible, potential synergies between adaptation and mitigation measures, and indicate if the adaptation actions may have positive or negative consequences on mitigation;]]
  - (i) [Take into account [the dynamics of natural systems] [natural systems and their dynamics] [the composition, resilience and productivity of natural and managed ecosystems, and the support they provide to adaptation];]
  - (j) [Include] impact assessment of actions undertaken in the context of shared and trans-boundary resources;
  - (k) Take into account relevant social and economic conditions, which should be consistently defined and include gender considerations in order to enhance women's capacity to act and to contribute to adaptation actions effectively.
  - (l) Integrate a gender perspective and a community-based and participatory approach to adaptation;
  - (m) Take into account land degradation.]
20. [National adaptation plans [should] [could] include [at least][, inter alia]:
- (a) Vulnerability assessments;
  - (b) Prioritization of actions;
  - (c) [Financial needs assessments;]
  - (d) Capacity-building [and response] strategies;
  - (e) Means for integrating adaptation actions into [thematic areas] [sectoral] and national planning;
  - (f) Identification of specific projects and programmes;
  - (g) Identification of means to incentivize the implementation of adaptation actions;
  - (h) [Ways to enable climate-resilient development and reduce vulnerability;]
  - (i) Disaster risk [[reduction] and] management strategies;
  - (j) [Means to diversify the economy as an adaptation strategy].]
21. [National adaptation planning procedures should build on existing processes and methodologies where available and appropriate, such as national communications, NAPAs, and technology needs assessments.]
22. [National adaptation plans [are to be] [should be] [reviewed and] updated [every [three to] four years] [with financial support from the Convention Adaptation Fund]. [Implementation of] national [adaptation plans [and actions]] [adaptation planning processes] [should be ongoing and iterative, and activities] [should be] [could be] [reported] [included] as part of a country's national communication.]
23. [[To promote [[the] enabling [activities] [environments] [(policy, legislative and institutional)] to support] [, enable and support the implementation of] adaptation action[s], [all Parties] [Parties] [all

developing country Parties [particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems]] [with financial support from the Convention Adaptation Fund, technical support and capacity-building] [shall][should][may]:] [To promote the enabling activities to enhance adaptation actions in all developing country Parties, the developed country Parties should]:

- (a) [[Provide support to developing country Parties for] [Promote] the integration of] [Integrate] adaptation [concerns] into [national, subnational, and sectoral] [sustainable] development [policies and strategies] [programmes and priorities] [planning processes], [disaster risk]] [[Coordinate adaptation and disaster risk reduction and integrate these into development] and poverty reduction plans, [public policies] strategies, tools and policies [at multiple levels] [at the local, national, regional and international levels] [and across sectors], [developing national adaptation plans as appropriate, and reviewing and reporting on these activities] [recognizing that climate change is an additional burden to development];]
- (b) Integrate sustainable development into economic diversification strategies;
- (c) [Provide incentives to adaptation through [inter alia] [regulatory policies], legislative changes, removal of barriers, [involving women as active participants,] and other supportive approaches] [Minimize incentives that encourage maladaptation] [Reduce perverse incentives that encourage unsustainable land uses, and reducing negative economic incentives (e.g. tax breaks) for vulnerable activities];
- (d) Build resilience to climate variability and change into economic development activities and institutions;
- (e) [[Provide technical support to developing country Parties to] Undertake [sound] [impact] vulnerability and adaptation assessments, including [costs and benefits] [those at the local, national and regional levels, employing a range of decision-making tools and methodologies] [identify major vulnerabilities to climate change];]
- (f) [[Support capacity-building efforts] [Provide financial and technical support to building capacity, including institutional capacity in developing country Parties] [Promote local and needs-oriented capacity-building activities for adaptation at all levels, including through specific targeted training and technical support] [Build capacity, including institutional capacity [, through the provision of financial [and technical support] [resources and technology development and transfer] for]:]
- (i) [Operational planning of adaptation, including for detailed project design, costing of adaptation, [implementation of adaptation actions] and increasing adaptive capacity;]
- (ii) [Systematic observation, data collection and archiving, analysis, modelling [and] dissemination and application;]
- (iii) Applying climatic information in sectoral planning as well as in cross-sectoral planning such as integrated water resources management;
- (iv) Running and interpreting complex models;
- (v) Improved emergency response capabilities, including governance structures that encourage efficient use and coordination of local, national and international resources;

- (vi) Analysing institutional vulnerabilities in developing countries in order to build national capacities in specialized areas, such as modelling, adaptation planning and implementation, and strengthen the relevant institutional capacities;]
- (g) [Support the supply and availability of adaptation technologies, climate information (including through research and systematic observation), tools, methods and models, particularly in the most vulnerable countries;]
- (h) [[Engage in] [Enhance] education and training programmes, research and public awareness-raising; [including public and stakeholders education and continued outreach];]
- (i) [Share knowledge, information [, data] and experience [including utilizing the services of relevant institutions] at [local, national,] regional and international levels, consistent with international agreements;]
- (j) Enhance or develop the needed information and knowledge base (both biophysical and socioeconomic), including improving scientific research, data systems and data collection, to support adaptation and catalyze adaptation investments. This includes enhancing observations and data, and making that data available, to inform assessment and planning for adaptation and provide inputs for approaches such as parameterized insurance;
- (k) Integrate knowledge, experiences and lessons learned from existing activities, including those carried out at the community level as well as activities from ongoing initiatives such as the Nairobi Work Programme, into adaptation planning;
- (l) Improve knowledge of the socio-economic aspects of climate change and promote the integration of socio-economic information into impact and vulnerability assessments;
- (m) Exchange experiences and opportunities relating to the development and dissemination of measures, methodologies and tools aimed at increasing economic resilience;
- (n) Exchange experiences and lessons learned in economic diversification, including ways to develop institutional capacity, and improve understanding of how economic diversification can be integrated into sustainable development plans, especially those that promote sustainable economic growth and eradication of poverty;
- (o) Elaborate best practices that can guide immediate actions with an eye to building long-term resilience to extreme events and disasters, including through implementation of the Hyogo Framework for Action;
- (p) [Encourage pilot projects [to increase and create synergy and champions] related to [microinsurance and [global] risk pooling] [improving adaptive capacity] [, [where] [as] appropriate] [within a country-driven approach to adaptation] [that do not impose additional burdens on the already vulnerable];]
- (q) [Inform and involve the most vulnerable groups in the decision-making process and management of adaptation activities;]
- (r) [Engage in [a [three-year] pilot phase of] adaptation activities implemented cooperatively, to catalyze rapid learning about adaptation good practice by supporting enhanced implementation of demonstration projects, programmes and policies in vulnerable countries, as well as regions, and communities groups, sectors and ecosystems within all developing countries;]

- (s) [[In order to bridge short-term actions to medium and longer term actions]] [Establish] a short-term work programme up to and beyond 2012 [shall be established by the Parties] in order to support [the preparation and implementation of NAPAs, and] the strengthening of observation systems, the creation of databases for climate data, downscaling and targeted capacity-building for long-term planning].]

*Implementation of adaptation actions*

24. [All Parties shall undertake adaptation actions to reduce vulnerability and to build their resilience to the impacts of climate change.] [Parties should commit to promote adaptation to climate change by:

- (a) Setting as their common goal sustained and effective action to address adaptation to the impacts of climate change;
- (b) Taking immediate no regrets adaptation actions, wherever possible, using existing knowledge, resources, plans and processes.]

25. [The adaptation [implementation] [framework] [programme] [shall] [should] support and enhance the implementation of national adaptation programmes, projects, actions and plans [in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems].] [Developing country Parties shall be assisted by developed country Parties to implement adaptation activities, projects, programmes, strategies and actions identified through various national processes, including in national communications.] [LDC adaptation actions will be supported by financing, technology, and capacity-building. Issues relating to finance and technology are discussed in their respective sections elsewhere in the text.]

26. [Adaptation [action] [plan] includes:

- (a) [Specific [short-, medium- and long-term] adaptation programmes, projects, and actions for implementation [at local, subnational and national levels] [at all levels, including local, subnational and national levels] [at project and sectoral levels]; and activities identified in the national adaptation plans, and in integrated climate territorial plans [and cross-sectoral and sector-based activities], including NAPAs; and from the household up through macro-level to ensure adaptation actions respond to the needs of entire communities;]
- (b) [Programmes, projects, actions, strategies and measures to reduce, manage and share risk, including early warning systems, insurance-related activities [and activities addressing loss and damage from climate change impacts, including those arising from extreme weather events] and gradual changes;]
- (c) [Programmes, projects, actions, strategies and measures] [Administrative and legislative actions] [to build resilience] [to enhance adaptive capacity], [including through economic diversification];
- (d) Strategies and measures geared to minimize adverse social, environmental and economic impacts on developing countries identified in Article 4, paragraphs 8 and 9, of the Convention;
- (e) [R&D, deployment, diffusion and transfer of [adaptation technologies] [technologies for adaptation], including capacity-building, taking into account [sector-specific adaptation technologies, ecosystem-scale intersectoral linkages and] endogenous national or regional adaptation technologies in a voluntary manner and consistent with relevant international agreements;]

- (f) [[Means to protect] [Activities related to national and international [migration of] [displacement of] [planned relocation of] [responses to]] [climate [refugees] [migrants]] [persons] [individuals and peoples] [displaced by] [affected by] [extreme climate events] [the [adverse] impact of climate change].]]

27. [[All] [Annex I] Parties [[should promote] [the participation of] [involvement, coordination and communication across]] [are encouraged to engage] a [wide] range of [their] [stakeholders, including] [national and international organizations] [[R&D] institutions, universities, research centres] [agencies] [local communities,] the private sector and civil society, [indigenous peoples, women and children,] in supporting and implementing adaptation action [in developing country Parties] [, bearing in mind that the involvement of the private sector and other stakeholders should supplement and not substitute the role of the developed country Parties related to the provision of financial resources and transfer of technology under the Convention].]

### **C. Means of implementation**

28. [The adverse effects of climate change [and response measures] [, due to the historical cumulative GHG emissions of developed countries,] constitute an additional burden on [all] developing country Parties [particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems] in reducing poverty [, developing strategies to address social vulnerabilities] and attaining sustainable development and [a threat to achieving] the United Nations Millennium Development Goals.] [Economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties, as stated in Article 4.7 of the Convention.]

29. [[The adaptation [framework] [programme]] [The provision of [financial resources, including technology transfer and capacity-building shall be in accordance with Article 4.3, 4.4 and 4.5 of the Convention and] must provide] scaled-up new, additional, adequate, predictable and sustainable financial [resources], technological and capacity-building support to address all key areas of the adaptation [framework] [programme] in a manner that is holistic, and consistent with national and regional development objectives, programmes and plans.] [Therefore, the financial support additional to ODA necessary for the implementation of adaptation actions should be covered in full by the developed country Parties.] [Financial support [must therefore be additional to finance for development, i.e. ODA, and] [shall] [should] be provided [by developed country Parties] [both] on a grant basis [and as concessional loans] to [assist in meeting] [meet] the [agreed] [full costs] [and] [agreed] [full] [incremental] costs of adaptation [action] in developing countries [with special consideration given to LDCs and SIDS] [and for stand-alone adaptation programmes].] [Developed country Parties shall improve access to new, additional and predictable financial flows.] [The developed country Parties shall provide new and additional financial resources – above what is now provided for national communications – to meet the agreed full costs incurred by developing country Parties in compliance with their obligations under Article 12, paragraph 1, and Article 4, paragraph 3, of the Convention.]

30. The provision of financial and technical support by developed country Parties for adaptation programmes in developing countries is a commitment under the Convention that must be urgently fulfilled. Commitments made by Annex I Parties to support implementation of the Adaptation Framework through financial and technology transfer shall be legally binding, with provisions for a [monitoring, reporting and verification] mechanism to ensure compliance. There should be regular reporting through national communications on the implementation by developed country Parties and other developed Parties included in Annex II of their commitment under Article 4.4 of the Convention to assist vulnerable developing countries in meeting the costs of adaptation.

31. [Financial support for [sustained and ongoing] adaptation [planning and implementation] [shall] [should] [generally] be provided [to developing country Parties on the basis of entitlements to receive regular flows of periodic grant instalments] [through a programmatic approach] [and] [or] for project-based [stand-alone activities] [adaptation action] [while also allowing flexibility for countries to receive financial support for adaptation through a programmatic approach and for project-based adaptation action].] [Provision of financial support shall be country-driven and follow a programmatic approach where possible, but also allow for using a project approach, when appropriate.] Support for adaptation shall seek to strengthen the countries in their adaptation efforts by support to country-driven adaptation planning processes and implementation, emphasizing programmatic approaches, while also recognizing a place for adaptation projects under certain circumstances.

32. [In delivering means of implementation for adaptation action[s] in developing country Parties, complementarity and coherence [shall] [should] be ensured among existing international sources of support, including funds under the Convention and bilateral and multilateral funds outside the Convention.] [Coherence should be maintained in funding adaptation through the Convention, and outside the financial mechanism of the Convention, in accordance with the guidance provided by the COP.] [Funds will be under the control of the COP as the supreme authority of the Convention. Other complementary funds may be used on the understanding that they will not be the main source of funding for adaptation actions.] [These funds should be provided in accordance with the commitments of Parties under the Convention and to be delivered in accordance with the financial mechanism, as proposed by the G77-China.] [Financial resources should be provided through the enhanced financial architecture, and under the authority and guidance of, and fully accountable to, the COP.]

33. By 2020 the scale of financial flows to support adaptation in developing countries must be [at least USD 67 billion] [in the range of USD 70–140 billion] per year. [Sources of new and additional financial support for adaptation [must meet the full agreed incremental costs of adaptation and initially be within a minimum range of USD 50–86 billion per annum and regularly updated in the light of new emerging science, financial estimates and the degree of emission reductions achieved.] [will be needed to scale-up adaptation activities at the country level in developing country Parties].] Adaptation financing must be substantially scaled up and must be sufficient to:

- (a) Meet the financial requirements for adaptation programmes at national, subregional, regional and international levels;
- (b) Meet the required financial resources, technologies and capacity-building for the implementation of action on adaptation in accordance with the commitment of the developed country Parties;
- (c) Provide adequate, predictable, stable and timely financing at full-cost and grant based with direct, simplified and expeditious access;
- (d) [Cover] [support] [all] [the different] stages of adaptation [activities], [from identification of actions to implementation] [and should therefore have commensurate resources];
- (e) Provide new and additional resources, that is, additional to ODA financing;
- (f) Require no co-financing, in terms of additionality.

34. [Taking into account the provisions of paragraph 38 below, developing country Parties [– those Parties eligible to borrow from the World Bank (IBRD and/or IDA) or eligible recipients of UNDP technical assistance through its country indicative planning figure (IPF) –] [particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems]

[giving priority to the most vulnerable] [and Parties with economies in transition] [[[shall] [should] [receive access to] [be provided with] finance [on a continuous basis], technology and capacity-building [by at least 0.5 per cent of GDP of developed countries], to support adaptation action at local, subnational, national, regional and global levels, including:] [shall be supported in their adaptation actions, including adaptation planning and implementation, and support to adaptation action [shall] [should] encompass provisions for:]

[Developed country Parties [,in order to pay their adaptation debt to the developing country Parties] [shall] [should] provide [finance, technology transfer and capacity-building to] support [for] adaptation actions [in developing countries, in accordance with the provisions of the Convention.] [at local, subnational and national levels as well as for stand-alone projects/actions] Such actions may include:]

- (a) [Activities referred to in section B above and paragraph 35 below relating to the implementation of adaptation actions and enabling [activities] [environments] to support those actions;]
- (b) [Identified adaptation programmes, projects or actions, such as those arising from [national sustainable development strategies], risk reduction strategies, [poverty reduction strategies,] national communications and NAPAs and other relevant instruments;]
- (c) Means of implementation, including finance, technology and capacity-building;
- (d) Institutional arrangements;
- (e) Monitoring and review of adaptation action and support.]

35. [A Convention Adaptation Fund shall be established based on assessed contributions from Annex I countries and other possible sources of finance. The Convention Adaptation Fund must ensure sufficient financial resources for all developing country Parties to:] [[Developed country Parties shall provide] [[Agreed] full cost and [agreed] [full] [incremental] cost coverage, in accordance with Article 4, paragraph 3, [should be provided] [, inter alia] for]:

- (a) [Promote enabling activities to support adaptation action and implementation;]
- (b) [Enhance [enabling activities such as building capacity][capacity-building] [, including data collection, development of climate scenarios, assessments of vulnerability and adaptation, including the assessment of adaptation costs and to promote education, training and public awareness related to climate change.] [, including institutional capacity, through providing financial and technical support for]:
  - (i) Operational planning of adaptation, including for detailed project design, costing of adaptation and increasing adaptive capacity;
  - (ii) Systematic observation, data collection and archiving, analysis, modelling and dissemination;]
- (c) Cover the full costs of preparing national adaptation plans, identifying priority activities/projects intended to address urgent and immediate adaptation needs, and incorporation of adaptation considerations into sectoral and national development planning;
- (d) Implement [stand-alone] [specific] adaptation actions, projects and programmes [at local, subnational and national levels, and cross-sectoral and sector-based activities], in particular the most urgent ones;



- (e) Implement [risk management and risk reduction strategies][strategies and measures to reduce, manage and share risk], including [establishment of] an early warning system, [insurance-related activities and activities addressing loss and damage from climate change impacts, including those arising from extreme weather events];
- (f) Build [climate] resilience [strategies and measures] [,including] through economic diversification;
- (g) [[Resilience-building activities with the participation of all stakeholders,] [Improvement of adaptive capacity] based on vulnerability [and disaster risk reduction] assessments, including for sustainable livelihoods, [economic diversification for a sustainable economy,] sustainable agriculture, building community capacities and infrastructures, access to technologies and innovations, etc.];
- (h) Enhance institutional capacity for preventive measures, planning and preparedness for disasters relating to climate change;
- (i) [Promote [research and development [in], [deployment,] diffusion [of and access to] [and transfer of]] adaptation technologies [, including capacity-building, taking into account sector-specific adaptation technologies, ecosystem-scale intersectoral linkages and endogenous adaptation technologies];]
- (j) Develop and enhance endogenous capacities for technologies;
- (k) Have adequacy of funds for accessing transferred technology;
- (l) [[Preparation and] [Starting full] implementation of [national adaptation [action] plans] [NAPAs [and ensure NAPAs include a focus on economic diversification]] [activities identified in NAPAs by 2012] [NAPA-like] and stand-alone adaptation projects or programmes;]
- (m) Formulating economic development strategies;
- (n) Establishment of an economic diversification forum;
- (o) Strengthening the crucial linkages between economic diversification and sustainable development, and taking action to lower the substantial barriers;
- (p) Improving environmental and energy efficiency in upstream and downstream activities relating to fossil fuels;
- (q) [Activities related to national and international migration and displacement or planned relocation of persons affected by climate change.]]

36. [Access to adaptation funds by Parties shall be inversely proportional to their contribution to greenhouse gases in the atmosphere.] [Access to funds to implement priority adaptation activities identified by Parties shall not be conditional on the completion of national adaptation plans.] Development of an adaptation strategy and programme should be enabled if one is not available at country level. Means should be provided, on a continuous basis, to enable, support and enhance national capacity to incorporate adaptation into planning and designing adaptation activities. Funding should go beyond integration of adaptation to sustainable development plans, and to include stand-alone adaptation.

37. [Proposals for funding support for adaptation in developing countries that are particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS, and further taking into account the needs of countries in Africa affected by drought, desertification and floods, shall be:

- (a) Country-driven;
- (b) Guided by indigenous knowledge;
- (c) Funded in an expeditious manner;
- (d) Funded directly to governments and community organizations in accordance with national policies or legislation.]

38. [In providing support, priority [shall] [should] be given to:

- (a) [Those most vulnerable to the adverse effects of climate change and least able to adapt;]
- (b) [Supporting adaptation at local, subnational, national and regional levels in developing countries;]
- (c) [[All developing country Parties, in accordance with paragraph 5 above (containing new definitions to be agreed)] [[Particularly] vulnerable] developing country Parties, [as stated in Article 4, paragraph 8, of the Convention] [especially] [inter alia]:

Option 1

- (i) [Poor developing countries;]
- (ii) [LDCs and SIDS, [and [countries in] Africa and Asia affected by drought, desertification and floods and landslides];]
- (iii) [Low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, [archipelagic countries,] and developing countries with fragile mountainous ecosystems and landlocked countries;]
- (iv) [Countries with unique biodiversity, [tropical] [mountainous] glaciers and fragile ecosystems;]

Option 2

- (i) [Small island countries;
- (ii) Countries with low-lying coastal areas;
- (iii) Countries with arid and semi-arid areas, forested areas and areas liable to forest decay;
- (iv) Countries with areas prone to natural disasters;
- (v) Countries with areas liable to drought and desertification;
- (vi) Countries with areas of high urban atmospheric pollution;
- (vii) Countries with areas with fragile ecosystems, including mountainous ecosystems;
- (viii) Countries whose economies are highly dependent on income generated from the production, processing and export, and/or on consumption of fossil fuels and associated energy-intensive products;
- (ix) Land-locked and transit countries.]]

- (d) [Particularly vulnerable [sectors,] [ecosystems,] populations, groups and communities, especially the poor, women, children, the elderly, indigenous peoples, minorities and those suffering from disability.]]

39. [In prioritizing support, the level of vulnerability shall be determined, inter alia, by national circumstances, respective financial and technical capabilities, levels of risk and impacts as well as levels of poverty and climate change [exposure] [vulnerability].]

40. [In addition to the above, priority consideration] [In relation to the above priorities, consideration] should also be given to [ecosystem-based and community-based adaptation activities, where appropriate, at local and national levels.] [sustainable ecosystem management, conservation and restoration activities, where appropriate, to support adaptation.]

41. [Providing financial support shall be additional to developed countries' ODA targets.] [Mandatory contributions from developed country Parties and other developed Parties included in Annex II should form the core revenue stream for meeting the cost of adaptation in conjunction with additional sources including share of proceeds from flexible mechanisms.] [This finance should come from the payment of the adaptation debt by developed country Parties and be based principally on public-sector funding, while other alternative sources could be considered.] [[Sources of new and additional financial support for adaptation] [Financial resources of the "Convention Adaptation Fund"] [may] [shall] include:

- (a) [Assessed contributions [of at least 0.7% of the annual GDP of developed country Parties] [from developed country Parties and other developed Parties included in Annex II to the Convention] [taking into account historical contribution to concentrations of greenhouse gases in the atmosphere];]
- (b) [Auctioning of assigned amounts and/or emission allowances [from developed country Parties];]
- (c) [Levies on CO<sub>2</sub> emissions [from Annex-I Parties [in a position to do so]]];]
- (d) [Taxes on carbon-intensive products and services from Annex I Parties;]
- (e) [[Levies on] [Shares of proceeds from measures to limit or reduce emissions from] international [aviation] and maritime transport;]
- (f) Shares of proceeds on the clean development mechanism (CDM), [extension of shares of proceeds to] joint implementation and emissions trading;
- (g) [Levies on international transactions [among Annex I Parties];]
- (h) [Fines for non-compliance [of Annex I Parties and] with commitments of Annex I Parties and Parties with commitments inscribed in Annex B to the Kyoto Protocol (Annex B Parties);]
- (i) [[Additional ODA] [ODA additional to ODA targets] provided through bilateral, regional and other multilateral channels (in accordance with Article 11.5 of the Convention).]]

42. Parties should commit to:

- (a) Promoting the full range of available management tools and financing options in implementing local, national or regional adaptation actions, including innovative managerial and financial techniques;

- (b) Encouraging financial flows for adaptation to the LDCs and the poorest and most vulnerable communities within countries;
- (c) Promoting the conditions that will encourage private-sector investment to build resilience in sensitive sectors;
- (d) Promoting access to appropriate technologies, knowledge and expertise to address adaptation, in particular for the least developed countries, including the creation of enabling environments for the successful adoption of such technologies.

**D. [Risk reduction, management and sharing] [Risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance]  
[Risk reduction and management]**

43. [All Parties should commit to reducing and better managing risks associated with climate change, and undertake activities to improve risk management and risk reduction through strategies that link development, climate adaptation and disaster risk reduction.] [Risk reduction should be given priority in preparation of adaptation planning in order to minimize the adverse effect of climate change, including extreme events and climate-related disasters.]

44. [[Taking into account the intrinsic connection between adaptation policies and measures, risk [management][reduction strategies], [insurance], disaster reduction strategies, [poverty reduction strategies and national sustainable development plans], [at the national and regional levels],] the adaptation implementation [framework][programme] [shall][should]:

- (a) [Support country-driven projects and programmes [in all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change,] aimed at assessing, managing, reducing and sharing the risks associated with climate change, [including the impacts of extreme weather events, and of gradual changes,] [as well as other short-, medium- and long-term risks] through, inter alia, the implementation of the Hyogo Framework of Action<sup>1</sup>;]
- (b) [Enhance insurance, risk assessment and management [through, inter alia, the implementation of the Hyogo Framework of Action];]
- (c) [Ensure that NAPs are consistent with, or incorporate elements of, national risk management plans, disaster risk reduction;]
- (d) [Ensure that national-level processes are supported by regional and international mechanisms, as appropriate.]]

45. [During the planning and implementation of the projects and programmes mentioned in paragraph 44 above, coherence should be ensured with the implementation of other adaptation action, and with other adaptation-related efforts, [including][, in particular] under the Hyogo Framework of Action.]

46. [Activities [shall be part of the National Adaptation Plans and] should include:

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<sup>1</sup> The Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters. Available at <<http://www.unisdr.org/eng/hfa/docs/Hyogo-framework-for-action-english.pdf>>.]

- (a) Preparing and implementing [national adaptation plans], [[national] and [local]][disaster] risk [reduction][and][strategies] [management plans];[, including:
  - (i) Strengthened risk observation, risk analysis and risk information dissemination;
  - (ii) Early warning systems;
  - (iii) Disaster preparedness [and [extreme weather forecast] contingency plans];
  - (iv) Emergency response and recovery;
  - (v) Risk transfer mechanisms [, including insurance];
  - (vi) The systematic integration of risk reduction measures in national, subnational and sectoral development planning and programming.]
- (b) Identifying major vulnerabilities to climate change;
- (c) Creating legal and regulatory conditions that facilitate adaptation, including disaster resilience (for example, building codes, land-use planning, risk-sharing tools, and strengthening policy coherence among sectors);
- (d) Elaborating best practices that can guide immediate actions with an eye to building long-term resilience to extreme events and disasters, including through implementation of the Hyogo Framework for Action;
- (e) Minimizing incentives that encourage maladaptation;
- (f) Educating stakeholders at all levels about adaptation options and the benefits of reducing vulnerability to climate-related risks;
- (g) Using meteorological, Earth observations, socio-economic information, and local and indigenous knowledge to best coordinate disaster planning and response;
- (h) Establishing systems of accountability such as institutional checks and balances and open administrative systems. Establishing the rule of law through means and processes for enforcement;
- (i) Improving the environment for doing business – particularly for small and medium enterprises – by combating corruption and reducing bureaucratic barriers (i.e. red tape) to private-sector business activity;
- (j) Improving availability and application of climate and environmental information, including but not limited to remote sensing, and decision-making tools;
- (k) Clarifying and securing land tenure and planning – i.e. allocation, ownership and control over lands and resources;
- (l) Strengthening environmental and natural resources management and enforcement.]

47. [To] [support][assist] [particularly vulnerable [[regions, communities, groups, sectors, and ecosystems within] [all]] developing countries,] [developing countries that are particularly vulnerable to the adverse effects of climate change, especially the least developed countries and small island developing States, and further taking into account the needs of countries in Africa affected by drought, desertification and floods, to minimize and address loss and damage from climate change impacts,] [[a

[multi-window] mechanism]<sup>2</sup> [dedicated financing window in G77 financial mechanism] [various mechanisms]<sup>3</sup> for [adaptation,] [risk reduction] [and management] [and sharing] [exist and should be built on to:] [[[could]][must] be established] [within the adaptation framework] [to:]] [and should be guided by the following principles:]]

- (a) Be consistent with the country-driven approach to adaptation;
- (b) [Function at the international level;]
- (c) [Guarantee equitable access and governance, considering all relevant sectors and stakeholders;]
- (d) [Coordinate its operation with other insurance and re-insurance institutions, and United Nations organizations and other relevant international organizations associated with disaster risk management.]

48. [[This mechanism][These mechanisms] [will][could][shall] [serve as a window to provide rapid financing to cope with the aftermath of extreme climate events, including as [a][an] [insurance] compensation mechanism.] [include innovative financial instruments, for example venture capital funds and climate insurance funds, integrated into the financial mechanism, for addressing the risks associated with climate change.] [consist of the following [distinct but interlinked and interdependent] components [that provide an integrated approach to loss and damage from climate change impacts, and that are required to assist developing countries mentioned in paragraph 47 above]:

- (a) A risk [reduction/] management [and risk prevention] component [, through inter alia the implementation of relevant frameworks such as the Hyogo Framework]:
  - (i) [To develop and promote][Which shall support] [risk assessment][and risk management] [tools and strategies at all levels][in developing countries mentioned in paragraph 47 above];
  - (ii) [[Which shall promote][With a view to facilitating and supporting] the implementation of [appropriate] risk reduction and risk management measures [to minimise loss and damage].]
- (b) [An insurance component:
  - (i) To address climate-related extreme weather events, and risks to crop production, food security, water availability, disease increase and local livelihoods that encourage risk reduction;
  - (ii) Which shall facilitate the design, establishment and operation of insurance-related risk sharing and risk transfer mechanisms tailored to the needs of particularly vulnerable developing countries, especially the least developed countries and small island developing States, to address financial risk associated with increasingly frequent and severe climate-related extreme weather events, including hurricanes, tropical storms, floods and droughts, which result in loss and damage, and leverage public and private funding to enhance adaptive capacity.]

[Insurance payments for particularly vulnerable developing countries shall be facilitated through the financial mechanism.]

<sup>2</sup> Parties also referred to “multi-option”.

<sup>3</sup> Parties also referred to “systems”.

- (c) A rehabilitation [and]/ [compensation][compensatory] component [to][shall] address loss and damage resulting from the [current and] progressive negative impacts [of climate-related slow-onset events, including sea level rise, increasing sea and land temperatures, ocean acidification (e.g. land loss, coral bleaching, impacts on potable water availability, reduction in fisheries, desertification etc.)];
- (d) Innovative financial instruments, for example venture capital funds and climate insurance funds, integrated into the financial mechanism, for addressing the risks associated with climate change.]]

49. [Public-private partnerships [shall] [should] be promoted to catalyse wider engagement of stakeholders, including the private sector and civil society, in risk reduction, management and sharing, including insurance and addressing loss and damages, bearing in mind that the involvement of the private sector should supplement and not substitute commitments by developed country Parties under the Convention.]

### **E. Institutional arrangements**

50. [The [Convention] [Copenhagen Agreement][COP] [[should][shall] [guide and coordinate][promote] [[assume][play] a [catalytic][primary][coordinating] role in [guiding][mobilizing][supporting][coordinating]]][can serve as a catalyst] [for] [actions on] [[in] the implementation of] adaptation [activities][actions] [at the international level] [, including cooperative action by all Parties and by relevant international, regional and national organizations and institutions][, ensuring the provision of predictable, adequate, new and additional financial resources, technologies and capacity-building by developed country Parties] and [continue to work cooperatively with other organizations on the broad range of initiatives required to address adaptation.]] [The Convention shall catalyse actions in different sectors, promoting efficient and effective use of the financial resources for adaptation provided under the Convention, and engage in education and training programmes, research and public awareness-raising.]

51. The [Convention [process] [can] [shall]] [Copenhagen Agreement should] facilitate [the knowledge and information sharing and experience at local, national, regional and international levels.] [the provision [and sharing] of appropriate information on the scientific and technical aspects of adaptation, the sharing of experiences and knowledge in implementing adaptation activities [, and the linking of national entities and [implementing agencies]] [relevant international, regional and national organizations and institutions] with necessary expertise] and established processes and/or systems.

52. Particular effort should be taken to enhance cooperation amongst intergovernmental organizations on disaster risk reduction, poverty reduction, and development with the goal of maximizing synergies and avoiding duplication of efforts.

53. International specialized agencies and organizations working on the impact of climate change on water resources, in particular those under the UN, are to be involved in developing the national and international strategies for adaptation in the water sector.

54. [The [scope of][activities undertaken by][outcomes and lessons learned from]] the Nairobi work programme [should continue, including by enhancing the role of regional centres, where necessary, as hubs] [[[is to][should] be enhanced to promote understanding of impacts, vulnerability and adaptation to climate change] and it [should][could] become a hub] [[for knowledge and information sharing and capacity-building] [at regional[,subregional] and national levels]].

55. [Under the adaptation [framework][programme], [the financial mechanism is to be [inclusive, fair and equitable in terms of governance of, and access to, finance, taking into account different national

circumstances.]] [international] institutional arrangements for adaptation [must][should][shall] be [guided][governed] by the following principles [and guiding criteria:]<sup>4</sup>

- (a) Be [fair], effective, efficient and transparent;
- (b) [[Be][Operate] under the authority, and guidance of, and be fully accountable to, the COP;]
- (c) [Be underpinned by the principle of common but differentiated responsibilities and equity;]
- (d) [Have an equitable and geographically balanced representation of all Parties within a transparent and efficient system of governance (Article 11.2);]
- (e) [Ensure recipient country involvement during the stages of identification, definition and implementation, rendering it truly demand driven;]
- (f) [Seek coherence with, and not duplicate, expertise of][Collaborate with] other [actors and entities in relevant fields;] [United Nations organizations, international financial institutions and other relevant international organizations;]
- (g) [Address all aspects of cooperation on technology research, development, diffusion, and transfer in accordance with Article 4.3 and 4.5 and other relevant articles of the Convention, in order to enable adaptation under the relevant paragraphs of decision 1/CP.13;]
- (h) [Act in coordination with existing regional frameworks, and] [encourage [cooperation, where appropriate, on a regional basis] [regional coordination between countries with shared natural resources]] to coordinate efforts;
- (i) [Be supportive of][Build on][Make use of] [existing] [national institutional] arrangements, national platforms, such as those for the Hyogo Framework and expertise to the extent possible].

56. In order to support the implementation of the adaptation [actions][framework][programme], [existing [institutional arrangements][institutions at the international and regional levels] [shall][should] be enhanced] [and][the new institutional arrangements mentioned in paragraph 57 below should be established] with a view to, inter alia:<sup>5</sup>

- (a) [Facilitating][Enhancing][Supporting][Ensuring][Encouraging][Promoting] [[the implementation of] adaptation] [action[s]][framework] [in all countries][in developing country Parties] [at the most appropriate level][including at local, [subnational,] national and regional levels][now, up to and beyond 2012] [, recognizing the important roles of [state and regional] governments and recognizing gender equity as an integral part of effective implementation of adaptation;]
- (b) [Developing broad guidance for developing national adaptation strategies, and providing support for particularly vulnerable countries [least able to adapt] in developing these strategies;]

<sup>4</sup> The principles/guiding criteria related to the various mechanisms/arrangements contained in Adaptation chapter II, section E, FCCC/AWGLCA/2009/INF.1 are grouped in this paragraph.

<sup>5</sup> The objectives/functions/purposes related to the various mechanisms/arrangements contained in Adaptation chapter II, section E, FCCC/AWGLCA/2009/INF.1 are grouped in this paragraph.



- (c) [Strengthening and consolidating][Enhancing][Creating [arenas][platforms] for] sharing [of] information, [knowledge,] [experience] and good practices, [at local, national, regional and international levels, consistent with relevant international agreements], [and forums where different public and private stakeholders can discuss concrete challenges], recognizing the role of national focal points;
- (d) [Disseminating information through regional centres;]
- (e) [Assisting particularly vulnerable developing countries, to, inter alia, develop guidelines for undertaking vulnerability and adaptation assessments, the preparation of national adaptation plans, and integrating adaptation actions into sectoral and national planning; and identifying sources of funding and technical assistance to support specific adaptation actions;]
- (f) [Ensuring that a coherent and coordinated effort is made to support developing country Parties build their resilience to the impacts of climate change and avoid climate change related disasters;]
- (g) Encouraging [international organizations and institutions to support (through their programmes on, inter alia, financial cooperation, capacity-building and institution-strengthening mechanisms)] the integration of adaptation into [local, national and regional] development plans, [including funding for adaptation activities,] [strategies,] programmes [, and priorities];
- (h) [Providing advice and technical support to Parties;]
- (i) [Designing and implementing a new work programme on adaptation;]
- (j) Enhancing scientific monitoring activities to develop ways and means to adapt to the effects of climate change on the ocean;
- (k) [Enabling and supporting the creation of partnerships among companies and research institutions of developed and developing countries, and the Parties, for adaptation technologies and the implementation of adaptation activities;]
- (l) [Achieving accessibility, affordability, appropriateness and adaptability of the technologies required by developing countries for enhanced action on mitigation and adaptation;]
- (m) [Developing non-exclusive and additional mechanisms for the transfer of adaptation technologies;]
- (n) [Achieving adequacy and predictability of funds for technology transfer;]
- (o) [Achieving removal of barriers for technology development and transfer;]
- (p) [Supporting the development and enhancement of endogenous capacities and technologies of developing country Parties;]
- (q) [Overseeing [the level of adaptation][adaptation needs] of developing countries, [assessing capacity-building needs][including finance, technology and capacity-building];]
- (r) [Enabling direct access to funding by the recipients, and ensuring the provision of new and additional, adequate and predictable financing resources for technology transfer;]

- (s) [Receiving and evaluating financial support applications from developing countries for implementation of adaptation projects, programmes and actions;]
- (t) [Planning, organizing, coordinating, monitoring and evaluating international actions on adaptation to climate change, including on the means of implementation;]
- (u) [Monitoring compliance with commitments and pledges made by developed country Parties, and other Parties who voluntarily elect to do so, to provide financial support to particularly vulnerable developing countries;]
- (v) [Overseeing the creation of the necessary funds and insurance mechanisms, and the effectiveness of funds allocated to adaptation [, including to enable and support the creating of partnerships among companies and research institutions of developed and developing countries for adaptation technologies and the implementation of adaptation activities];]
- (w) [Achieving provision of full costs and full incremental costs, as per Article 4.3 of the Convention;]
- (x) [Ensuring the full, effective, and sustained implementation of the Convention, in relation to the implementation of commitments for the provision of financial resources. This is mandated under Articles 4.1, 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention in accordance with Art. 11 defining the financial mechanism under the Convention.]

57. [The following new institutional arrangements [should][shall] be [established][created] [by the COP at its sixteenth session][and report directly to the COP]:

- (a) [A[n] [permanent] adaptation committee;]

[The modalities for operation of the Adaptation Committee shall comprise the following:

- (i) A Facilitative Branch responsible for assessing ongoing work and promoting understanding of the scientific and methodological underpinning of adaptation:
  - Interacting with Parties, agencies and international institutions engaged in existing implementation of adaptation actions;
  - Analysing existing work and identifying best practices for use in relevant circumstances;
  - Identifying gaps in existing work and enhancing action to respond to gaps in existing work;
  - Monitoring compliance by Parties of their commitments to support adaptation;
- (ii) A Technical Advisory Branch which is responsible for:
  - the technical advisory group established to support the Executive Board of the Multi-Window Mechanism;
  - advising on technical matters arising from the work of the Adaptation Committee;

- (iii) A Clearing House and Information Dissemination Branch responsible for dissemination of information generated by the Facilitative and Technical Advisory branches to users at the national level. Its outputs will include:
  - Information on best practices appropriate for specific circumstances;
  - Information on methods and tools;
  - Facilitating the sourcing of relevant expertise for Parties in need of such;
  - Facilitating and implementing training and capacity-building activities at the national and regional levels;
- (iv) The COP shall be responsible for elaborating the modalities for operation and composition of the Adaptation Committee;
- (v) Adaptation actions identified and prioritized by developing country Parties in their national adaptation plans may be submitted to the Adaptation Committee for publication. Adaptation actions submitted for publication should be consistent with national policies, plans and programmes;
- (vi) The Adaptation Committee shall provide guidance and expertise to developing country Parties in the identification and prioritization of adaptation actions for urgent and immediate implementation;
- (vii) The Adaptation Committee shall assist with matching these prioritized adaptation actions to financial and technological support provided by developed countries. The Adaptation Committee will facilitate the review of new and additional developed country commitments under the Convention;
- (viii) Developing countries may seek financial and technological support for adaptation actions through other means;]
- (b) [A Subsidiary Body for Adaptation;]
- (c) [An expert [group][body] on adaptation under [the Subsidiary Body for Adaptation] [adaptation committee];]
- (d) [An adaptation advisory panel evolving from the Least Developed Countries Expert Group;]
- (e) [A [facilitative] mechanism [under the Convention];]
- (f) [Financial and Technology Mechanism on Adaptation under which an Executive Body on Finance and Technology for Adaptation (EBFTA) shall be established and will govern an Adaptation Fund to be also created under the Convention, and be supported by four technical panels on:
  - (i) Research and development;
  - (ii) Capacity-building;
  - (iii) Transfer of technologies for adaptation;
  - (iv) Observation systems and information management;]

- (g) [Multi-Window Mechanism to Address Loss and Damage from Climate Change Impacts, which is hereby defined:
- (i) The Multi-Window Mechanism shall be subject to the authority and guidance of the COP and be supervised by an Executive Board of the Multi-Window Mechanism;
  - (ii) The membership of the Board shall be determined by the COP, taking into account the need to ensure that Board members have the appropriate expertise in climate-related insurance matters;
  - (iii) A technical advisory group shall be established under the Technical Advisory Branch of the Adaptation Committee to support the Executive Board of the Multi-Window Mechanism;
  - (iv) The purpose of the technical advisory group shall be to:
    - Facilitate advice and guidance on existing and innovative risk management, risk transfer and risk sharing approaches, including insurance;
    - Identify key climate risk factors and thresholds for insurance payments;
    - Estimate the potential physical and economic impacts of key climate risk factors;
    - Receive reports that key climate risk factor thresholds have been exceeded;
    - Facilitate the verification that key climate risk factor thresholds have been exceeded;
    - Recommend to the Board appropriate financial compensation payments once climate risk factor thresholds have been exceeded.
  - (v) Members of the technical advisory group shall represent a range of technical expertise in the areas of hazard mapping, disaster risk reduction, and insurance and reinsurance.]]

58. [[Parties should designate a national focal point for adaptation][A national focal point should be established] to [enable the effective][address the] implementation of adaptation [programme][actions under the Convention, in particular the development and implementation of national adaptation plans]. Particularly vulnerable developing countries shall be provided with financial and technical assistance to support the work of the national adaptation focal points.]

59. [National and, where appropriate, regional coordinating [bodies][entities] should be established, or enhanced where they exist, to address all aspects of the means of implementation for adaptation, including gender-balanced participation, and to strengthen the institutional capacity of national focal points and all stakeholders.] [All Parties should promote the coordination and sustainability of activities undertaken within this framework, including the efforts of national coordinating mechanisms and entities and focal points.]

60. [National centres and networks as well as regional centres, networks and initiatives could be established or strengthened.] [The COP, in collaboration with other organizations, shall develop regional centres for adaptation. Regional centres will be a key source for guidance, information and expertise within the regions, and Parties will be encouraged to interact with their regional centres for such

support.] [The capacity of existing, relevant national, regional and international institutions should be strengthened to facilitate action on adaptation, including, inter alia:] [Centres, organizations, and/or networks, utilizing existing ones, [shall][should][could] be [established] [, where appropriate,] [or][and][and/or] [strengthened][, where appropriate,][,where they exist,] [,including at the national and regional levels.][, including:]

- (a) [National centres and networks;]
- (b) [Virtual] Regional [[adaptation] centres] [in developing country regions under the authority of the Subsidiary Body for Adaptation.], networks, organizations and initiatives;
- (c) [An international adaptation centre.]

61. [The centres and networks mentioned in paragraph 60 above [should] operate with a view to, inter alia:]

- (a) [[Facilitating][Assisting] the [development and] implementation of [national] adaptation [action[s]][plans] in all vulnerable developing country Parties, [particularly][vulnerable developing countries][vulnerable to the adverse effects of climate change][LDCs and SIDS [and Africa]] through [promoting] research, knowledge sharing, training, capacity-building and the voluntary development, diffusion and transfer of adaptation technology, consistent with relevant international agreements;]
- (b) [Facilitating the implementation of adaptation actions, capacity-building, knowledge sharing, technology development, diffusion and transfer;]
- (c) [Assisting and raising funds for] [Financing the planning] Planning, designing, [implementing,] monitoring and evaluating adaptation activities, and facilitating informed decision-making [at all levels] [at the national and regional levels, especially between countries with shared natural resources], taking gender considerations into account;
- (d) [Assisting Parties to build endogenous capacity for, inter alia: developing analytical tools; undertaking adaptation research and implementation activities; research, development, deployment and transfer of adaptation technologies; awareness-raising; support for pilot projects; and publication of studies on adaptation;]
- (e) Exchanging lessons learned and best practices, and enhancing assessment of the vulnerability of oceans and coasts to the effects of climate change in order to facilitate the implementation of adaptation measures;
- (f) [Contributing to the effectiveness of actions implemented by the relevant bodies established to enhance action on technology transfer (related to Para. 197 in the Chair's text);]
- (g) [Coordinating and disseminating free and timely dissemination of information related to systematic observation and [regional][impacts and response] modelling, for improved vulnerability and adaptation assessments;]
- (h) [Collecting, analysing and disseminating information on past and current practical adaptation actions and measures, including projects, short- and long-term strategies, and local and indigenous knowledge;]

- (i) [Enhancing the capacity of national-level interdisciplinary resource groups that include representatives from universities, scientific research institutions, government, industry and NGOs;]
- (j) [Developing a training programme that allows urban planners to integrate climate risk management into long-term development planning;]
- (k) [Generating and sharing knowledge, and enabling transformation of this knowledge into action;]
- (l) [Strengthening institutions and aiding in development of knowledge platform to enable sharing of research, expertise and data;]
- (m) [Engaging science and policy communities in dialogues to promote effective decision-making related to environment and development issues;]
- (n) [Seeking opportunities and partnerships to build capacity for the use of vulnerability and adaptation assessment methods and tools through new education programmes and advanced study institutions;]
- (o) [Studying the stresses generated by climate change and variability, and estimation of past, current and future climate-related risks (e.g. sea level rise, intensification of storms, especially sand storms.) as well as risks to human health;]
- (p) [Assisting with the formulation and dissemination of guidance for the development of national adaptation plans;]
- (q) [Providing guidance to the financial mechanism on appropriate criteria for approval and disbursement of financing for adaptation;]
- (r) [Provide feedback to the Adaptation Committee on gaps at the national and regional levels that need to be addressed.]

**F. [Monitoring and review of adaptation action and support] [Monitoring and review of enabled and supported adaptation action] [Measures to facilitate adequate adaptation to climate change] [Review of progress]**

62. All Parties, [with additional financial and technical support provided to developing countries,] should [enhance] report[ing] on [measures to facilitate adequate adaptation to climate change in national communications][progress and experience of adaptation action, and of support received or provided to facilitate the monitoring and review of adaptation commitments under the Copenhagen Agreement] [To ensure transparency, mutual accountability and governance, Parties should strive to integrate the monitoring of adaptation actions within existing country and organizational monitoring and evaluation systems.]

63. [Progress [in the compliance of financial commitments of Annex I Parties and][in the delivery of means of implementation to developing country Parties][in the implementation of][under] the adaptation [framework][programme] [is necessarily linked to the finance, transfer of technology and capacity-building. All of these aspects should be monitored and reviewed.] [, including [in] the delivery of means of implementation to [all] developing country Parties, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change and progress in building resilience and reducing vulnerability], [should][must] be [monitored][reviewed][and evaluated] to ensure the [agreed] full implementation of adaptation actions [and commitments of developed country Parties under Article 4.3,

4.4 and 4.5 of the Convention] [supported by finance and technology and commitments relating to financial and technology support [in a measurable, reportable and verifiable manner,] utilizing scientific as well as sex-disaggregated socioeconomic data and in the context of transparency, mutual accountability and robust governance].]

64. [[A [mechanism][system] for monitoring, reporting and/or providing feedback [shall] [should] be established] [for the review of financial commitments for adaptation activities] [for all Parties and adaptation actions as part of the overall reporting system under a new climate regime] [as part of a compliance mechanism][for meeting commitments under Article 4.3, 4.4 and 4.5][with a committee of experts on the implementation of commitments contained in paragraph 4 of the Convention] [[through utilizing] [utilize] existing mechanisms to monitor and evaluate the provision and effectiveness of adaptation support, such as through multilateral funding and ODA channels.]]

65. [[Monitoring][and evaluation] entails, inter alia:] [A monitoring system shall be established for:] [A system for monitoring and reporting shall be established to evaluate the provision of adaptation support, including, inter alia:]

- (a) [Monitoring and recording these financial resources provided by developed country Parties;]
- (b) [Monitoring technology transferred to developing country Parties;]
- (c) [Monitoring [actions by Parties][the utilization and transfer of financial resources to, and support for, capacity-building] [to create enabling environments for technology transfer and adaptation][in developing country Parties][within their respective countries];]
- (d) [Evaluating the effectiveness of the implementation of adaptation actions, projects and programmes;]
- (e) [Evaluating the sufficiency of financial and technology support to developing country Parties [every four years];]
- (f) [Ensuring that effective outcomes are realized from that support;]
- (g) [Determining, and reporting to the compliance committee, any discrepancies between financing and emission reduction commitments and quantities of resources delivered and reductions achieved on a country-by-country basis;]
- (h) [Submitting NAPAs by [the most] [vulnerable developing country Parties [, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change]], [for examination] on a country-by-country basis, which should result in prioritizing actions requiring assistance for implementation.]]

Annex III

**Enhanced action on mitigation**

This annex contains text from the paragraphs at the beginning of the chapter on enhanced action on mitigation on pages 67–73 of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered by the facilitator of the informal group on mitigation. The approach to the reordering was outlined by the facilitator at the meetings of the group.

The annex contains only material that Parties proposed to be placed before chapter III A of the revised negotiating text FCCC/AWGLCA/2009/INF.2/Add.1. Material that is conceptually similar and could be considered in conjunction with the material in this annex remains where it was originally introduced by Parties.

The paragraphs have been renumbered, starting from 1.

Duplication of identical paragraphs has been removed, and paragraphs with similar content have been grouped together. Paragraphs can be traced to their origin by using the explanatory table contained in annex III to document FCCC/AWGLCA/ 2009/INF.2/Add.1.

In introducing their text, Parties proposed subheadings, which can be found in document FCCC/AWGLCA/2009/INF.1 but have not been included in this text. The indicative subheadings in the text have been and introduced by the facilitator to indicate the themes around which the text was reordered.

In this annex cross-references refer back to the revised negotiating text (FCCC/AWGLCA/2009/INF).



Structural proposals:

1) Sections A and B of the mitigation chapter should be rearranged according to the following order:

1. A section on policies and measures
2. A section on mitigation obligations by Parties
  - (a) Subsection on commitments by developed countries
  - (b) Subsection on actions by developing countries
3. A section on measurement, reporting, and verification
4. A section on a reviewing mechanism
5. A section on compliance.

2) A new section should be inserted at the beginning of the chapter on mitigation for structural proposals that address both developing and developed country commitments and actions in a unified format.

*Annexes should be inserted at the end of the text, to capture, among other things, Parties' quantifiable mitigation commitments and actions.*

*The mitigation chapter should focus on nationally appropriate mitigation commitments and actions and the measurement, reporting and verification of those commitments and actions. Elements of the text relating to support for mitigation action by developing countries, including the current section on "means of implementation", should be consolidated into a new section in the financing chapter.*

*A placeholder should be included at the beginning of the mitigation chapter noting that a new section may be required to set out overall mitigation objective or objectives, and guiding principles, should these elements not be included in a shared vision.*

*The mitigation chapter should therefore be structured into seven sections as follows:*

1. Objective and principles (if needed)
  2. Nationally appropriate mitigation commitments and actions (specifically including: Common obligations; National Schedules; Low-Emission Development Strategies; Mitigation by developed countries; Mitigation by developing countries)
  3. REDD
  4. Bunkers
  5. Market mechanisms
  6. Spillover effects
  7. Measurement, reporting and verification
  8. Compliance
- 3) A new section on joint fulfillment
- 4) A new section on LULUCF

*[Introductory material (including objectives, scope and principles)]*

1. Recognizing that largest share of greenhouse gas in the atmosphere are originated from developed countries.
2. Recognizing that the right to development is a basic human right that is undeprivable.
3. Recalling that economic and social development and poverty eradication are the first and overriding priorities of the developing countries.
4. Recognizing that the right to development of developing countries shall be adequately and effectively respected and ensured in the process of global common efforts in fighting against climate change.
5. Given their historical responsibility and development level and based on the principle of equality, developed country Parties shall have deeper cuts in their GHG emissions so as to ensure adequate spaces for developing countries to achieve their goals of substantive development and eradication of poverty. Developing countries should take nationally appropriate mitigation actions in the context of development, supported and enabled by technology, financing and capacity-building from developed countries.
6. Provisions of the Conventions reflected a distinct Developed and Developing Countries' obligations on actions on mitigation based on the principle of common but differentiated responsibilities and respective capabilities, with developed countries should take the lead on such actions.
7. Mitigation commitments by developed countries are distinct from mitigation actions by developing countries in the following way:
  - (a) Mitigation commitments by all developed countries are legally binding economy wide and absolute quantified emission reduction commitments;
  - (b) Mitigation actions by developing countries are voluntary and nationally appropriate actions, supported and enabled by technology, finance and capacity-building, which reduce or avoid emissions relative to baseline.
8. Enhanced national/international action on mitigation of climate change [should/shall] be pursued with the aim of achieving the ultimate objective of the Convention to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. All Parties [should/shall] contribute towards this objective, in accordance with their common but differentiated responsibilities and respective capabilities, taking into account their historical responsibility and mitigation potential as determined by their respective national circumstances, social and economic conditions and other relevant factors highlighted in Articles 4.8, 4.9 and 4.10 of the Convention, including their access to alternative energy.
9. In addition to the principles outlined in Article 3 of the Convention, the Parties shall be guided, inter alia, by the following:
  - (a) Developed country Parties should take the lead in combating climate change and the adverse effects thereof;
  - (b) All Parties should contribute to the global effort to combat climate change, in accordance with their common but differentiated responsibilities and respective capabilities – a spectrum of effort is envisaged;

- (c) All Parties should aim to undertake a similar level of effort to others at a similar level of development and with similar national circumstances
  - (d) Those Parties whose national circumstances reflect greater responsibility or capability should make a greater contribution to the global effort.
10. Noting that mitigation and adaptation efforts should be given equal consideration,
11. Ambitious and early mitigation commitments are critical for adaptation. Poor mitigation commitments and actions will impose a higher demand on adaptation measures and will require additional funding.
12. Parties acknowledge that enhanced action on mitigation is urgently required to ensure the stabilization of greenhouse gas concentrations in the atmosphere at a level that would minimize negative impacts on the most vulnerable States, particularly small island developing States and the least developed countries.
13. Parties acknowledge that global efforts must be ambitious, must reflect the urgency of our collective endeavours and must be consistent with a mitigation pathway that safeguards the most vulnerable from the adverse impacts of climate change.
- [Mitigation goals (including those relating to emissions, GHG concentrations and temperature rise)]*
14. Parties recognize that in this context greenhouse gas emissions must be stabilized as far as possible below 350 ppmv CO<sub>2</sub> eq, with temperature increases limited to as far as possible below 1.5 °C above pre-industrial levels; hence global emissions must peak by 2015, and then be reduced by more than 85 per cent below 1990 levels by 2050.
15. Economy-wide emission reductions by all countries shall be set as a stabilization of GHG concentrations in the atmosphere at 350 ppm carbon dioxide equivalent (CO<sub>2</sub> eq) and a temperature increase below 2°C above the pre-industrial level. For this purpose, Parties shall collectively reduce global emissions by at least 45 per cent from 1990 levels by 2020 and by at least 95 per cent from 1990 levels by 2050.
16. To stabilize the concentration of greenhouse gases in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate, the Parties recognize that the global temperature increase should be limited to 2 °C above the pre-industrial level.
17. In accordance with scientific findings, this implies that the aggregate greenhouse gas emissions by developed country Parties shall be reduced by [25–40] per cent by 2020 compared with 1990. Emissions from developing country Parties shall collectively deviate significantly from business as usual by [15–30] per cent by 2020. The global greenhouse gas emissions should peak by 2015.
18. Parties shall further collectively reduce global emissions by 50–85 per cent by 2050 compared with the 2000 level. These collective obligations should be adjusted in accordance with best available scientific information, including the Fifth Assessment Report of the IPCC.
19. The ultimate objective of the Convention [shall] be achieved through a long-term global goal for emissions reductions with a view to stabilizing atmospheric concentrations of greenhouse gases at [xxx ppm] by 20xx so as to reduce the probability of a rise in global temperature rise greater than [x °C]. In this regard, global greenhouse gas emissions should peak by [20xx] and decrease thereafter. To this end, developed country Parties and other Parties included in Annex I to the Convention, as a group, [shall/should] reduce their greenhouse gas emissions by [25–40] per cent from 1990 levels by 2020. Supported and enabled by technology, financing and capacity-building from developed country Parties and other developed Parties included in Annex II to the Convention, the greenhouse gas emissions of

Parties not included in Annex I to the Convention [shall][should], as a group, significantly deviate from baselines by 2020.

20. The objective of [this Agreement] [the Parties] is to achieve an environmentally sound response to climate change through effective implementation of the Convention, with a view to achieving its ultimate objective, as provided in its Article 2, by stabilizing atmospheric greenhouse gases at 450 ppm CO<sub>2</sub> eq or lower, through unified long-term action that sets the world on a path to peak global emissions by [X] and then reduce global greenhouse gas emissions by X per cent by [X] on [X] levels.

*[Frameworks for mitigation action by all Parties (including schedules, low carbon development strategies and measurement, reporting and verification)]*

21. Recalling Article 4.1(b) of the Convention, under which all Parties shall “[f]ormulate, implement, publish and regularly update programmes containing measures to mitigate climate change...”.

- (a) Parties shall implement their respective nationally appropriate mitigation action(s) reflected in Appendix 1;
- (b) In addition, Parties shall formulate and submit low-carbon strategies that articulate an emission pathway to 2050 (as specified in para. 62 (alternative) and in para. 74, Option 3.2 (alternative), );
- (c) Mitigation action is subject to measurement, reporting and verification, as reflected in an appropriate Appendix.

|                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------|
| Appendix 1 – Mitigation                                                                                                           |
| [to be filled in as per paragraphs x.1 above, paragraph 62 (alternative) below and paragraph 74, Option 3.2 (alternative), below] |
| Alphabetical list of UNFCCC Parties                                                                                               |

22. Recognizing that the circumstances of countries naturally evolve over time, paragraph 62 (alternative) below shall apply, when Appendix 1 is next updated, to other Parties in accordance with objective criteria of economic development.

23. This Agreement does not affect the ability of Parties to establish emissions trading linkages between or among themselves.

24. *Placeholder paragraph recognizing the common obligations of all Parties under Article 4 and other relevant articles of the Convention.*

25. Each Party (except the least developed countries) would be required to:

- (a) Maintain a national schedule
- (b) Meet and/or implement the nationally appropriate mitigation commitments and/or actions registered in its national schedule;
- (c) Measure and report on the outcomes of these commitments and/or actions.

26. Each Party would be required to register in its national schedule:

- (a) A national emissions pathway to 2050;

- (b) Quantifiable nationally appropriate mitigation commitments and/or actions for the agreed commitment period.
27. The required content for Parties' national schedules is as follows:
- (a) A brief description of each commitment or action;
  - (b) Whether it is to be taken on an economy-wide basis, or, if not, the section in which the commitment or action is to be taken;
  - (c) The baseline or reference case against which the commitment or action shall be measured, reported and verified;
  - (d) An estimate of the emissions limitation or reduction outcomes expected from the commitment or action or an aggregation of commitments and/or actions;
  - (e) Whether the commitment or action is to be taken unilaterally and/or is enabled by previously agreed financial, technology and/or capacity-building support.
28. Examples of possible commitments and actions include:
- (a) Quantified emission limitation or reduction commitments in economy-wide or sectoral terms;
  - (b) Quantified emission limitation or reduction actions on an economy-wide or sectoral basis;
  - (c) Emissions intensity commitments or actions;
  - (d) Clean energy commitments or actions;
  - (e) Energy efficiency commitments or actions;
  - (f) Emissions thresholds aimed at protecting and enhancing sinks and reservoirs;
  - (g) Other actions aimed at achieving quantified emission limitation or reduction outcomes.
29. The minimum expectations with regard to the commitments and actions that Parties would register in their national schedules would be:
- (a) For all developed country Parties, an economy-wide quantified emission limitation or reduction commitment (*note: para. 55 could be copied here*);
  - (b) For developing country Parties whose national circumstances reflect greater responsibility or capability, nationally appropriate mitigation commitments and/or actions aimed at achieving substantial deviation from baselines.
30. The registration of mitigation commitments and actions in national schedules would provide recognition of all Parties' contributions to the global effort to combat climate change.
31. *Placeholder to note that further paragraphs would be required to describe in more detail how national schedules would be negotiated, and how they would operate (including enhancement and amendment procedures).*
32. Taking into account their common but differentiated responsibilities and respective capabilities, their specific national and regional development priorities, objectives and circumstances, and their mitigation potential, with a view to achieving an aggregate reduction in global greenhouse gas emissions

of at least 50 per cent by 2050, all Parties shall formulate, regularly update and implement the contents of national schedules annexed to this agreement.

33. Each Party's national schedule shall include:

- (a) A long-term national greenhouse gas emissions limitation or reduction pathway;
- (b) A country-driven nationally appropriate mitigation strategy, differentiated in terms of the ambition, timing and scope of its mitigation commitments or actions, which could be, inter alia, project-based, sectoral or economy-wide.
- (c) Each Party's nationally appropriate mitigation strategy shall include:
  - (i) Except for the least developed countries and small island developing States, quantified emissions limitation or reduction commitments for 2020, consistent with its long-term national greenhouse gas emissions limitations or reduction pathway, subject to regular review; and
  - (ii) Measurable, reportable and verifiable mitigation policies and measures to meet its quantified emissions limitation or reduction commitments for 2020, as appropriate, and to support its national greenhouse gas emissions limitations or reduction pathway, subject to regular review.

34. All countries prepare low emission development strategies. *Note that further paragraphs would be required to describe in more detail their function and relationship to the national schedules described above and a potential facilitative/matching platform.*

35. All Parties shall develop and regularly update and submit information relating to the implementation of their nationally appropriate mitigation strategies. Such information shall be reviewed and verified according to agreed rules and guidelines.

36. All Parties, except for the least developed countries and small island developing States, shall develop and regularly update and submit a national inventory of anthropogenic emissions by sources and removals by sinks of all gases not controlled by the Montreal Protocol.

37. National inventories shall be:

- (a) Undertaken in accordance with the latest agreed Intergovernmental Panel on Climate Change Guidelines for National Greenhouse Gas Inventories; and
- (b) Submitted, reviewed and verified according to agreed frequencies, rules and guidelines.

Annex III A

**Enhanced action on mitigation**

**Mitigation [commitments] by [developed country Parties]**

This annex contains text from paragraphs 55–69 (pages 73–84) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered and consolidated by the co-facilitator of the informal group on mitigation. The consolidation and reordering has been undertaken in line with the approach presented to the group at the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

The paragraphs have been numbered, starting from 1.

The following reordering of paragraphs has been undertaken:

- Paragraphs 55 and 60–64 of document FCCC/AWGLCA/2009/INF.1 are clustered into two categories: “[mitigation commitments or actions]” and “[achieving quantified emission limitation and reduction objectives]”;
- The text relating to comparability (paras. 56–59 and 65 of document FCCC/AWGLCA/2009/INF.1) has been moved to the beginning of section III A1.

Paragraphs can be traced to their origin by using the explanatory table contained in annex III A to document FCCC/AWGLCA/2009/INF.2/Add.1.

Structural proposals:

*1) Move paragraphs 24–30 (paras 60–64, page 80 of document FCCC/AWGLCA/2009/INF.1) to a new subsection on low-emission development strategies.*

*2) Move the section on MRV (section 2, page 81 of document FCCC/AWGLCA/2009/INF.1) to a proposed new stand alone/unified section on MRV.*

*3) Move the section on compliance (section 3, page 82 of document FCCC/AWGLCA/2009/INF.1) to a proposed new stand alone compliance section.*

*4) Move paragraphs 31–38 (paras 66–68, pages 81–82 of document FCCC/AWGLCA/2009/INF.1) to a proposed section on elements that apply to all Parties.*

*5) Replace the whole section on MRV for 1(b)(i) with the following sentence: “MRV of developed countries’ commitments should be treated in an integrated manner with MRV of developing countries’ actions”.*

*Proposals for an additional section on Policies and measures by all Parties<sup>1</sup>*

1. Each Party shall, to the extent practicable, in implementing relevant Articles of this Protocol:
  - (a) Implement and/or further elaborate policies and measures in accordance with its national circumstances, such as:
    - (i) Enhancement of energy efficiency in relevant sectors of the national economy;
    - (ii) Protection and enhancement of sinks and reservoirs of greenhouse gases not controlled by the Montreal Protocol, taking into account its commitments under relevant international environmental agreements; promotion of sustainable forest management practices, afforestation and reforestation;
    - (iii) Promotion of reducing emissions from deforestation and forest degradation;
    - (iv) Promotion of sustainable forms of agriculture in the light of climate change considerations;
    - (v) Promotion of measures for adaptation to the adverse effects of climate change;
    - (vi) Research on, and promotion, development and increased use of, new and renewable forms of energy, carbon dioxide sequestration technologies and advanced and innovative environmentally sound technologies;
    - (vii) Progressive reduction or phasing out of market imperfections, fiscal incentives, tax and duty exemptions and subsidies in all greenhouse gas emitting sectors that run counter to the objective of the Convention and application of market instruments;
    - (viii) Encouragement of appropriate reforms in relevant sectors aimed at promoting policies and measures which limit or reduce emissions of greenhouse gases not controlled by the Montreal Protocol;
    - (ix) Measures to limit and/or reduce emissions of greenhouse gases not controlled by the Montreal Protocol in the transport sector;
    - (x) Limitation and/or reduction of methane emissions through recovery and use in waste management, as well as in the production, transport and distribution of energy;
  - (b) Cooperate with other Parties to enhance the individual and combined effectiveness of their policies and measures adopted under this Article. To this end, these Parties shall take steps to share their experience and exchange information on such policies and measures, including developing ways of improving their comparability, transparency and effectiveness.
2. The Parties shall pursue limitation or reduction of emissions of greenhouse gases not controlled by the Montreal Protocol from aviation and marine bunker fuels, working through the International Civil Aviation Organization and the International Maritime Organization, respectively.

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<sup>1</sup> Co-facilitator's note: Parties may wish to consider whether the text within the proposed additional section on policies and measures by all Parties (paras 1–3) should be considered as part of the section on paragraph 1(b)(i) of the Bali Action Plan or elsewhere in the document.



3. The Parties shall strive to implement policies and measures under this Article in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially developing country Parties and in particular those identified in Article 4, paragraphs 8 and 9, of the Convention, taking into account Article 3 of the Convention. The Conference of the Parties serving as the meeting of the Parties to this Protocol may take further action, as appropriate, to promote the implementation of the provisions of this paragraph based on the information provided by affected Parties.

1. Nationally appropriate mitigation commitments or actions by developed countries

*National circumstances and comparability of efforts*

4. To enhance mitigation commitments under Article 4.2(a) and (b) of the Convention, developed country Parties in Annex I of the Convention shall:

- (a) in a context of enhanced implementation, adopt economy-wide quantified emission reduction commitments that are comparable, and that the commitments for the second commitment period under the Kyoto Protocol shall be the reference for enhanced commitments under paragraph 1(b)(i) of the Bali Action Plan;
- (b) apply the concept of “nationally-appropriate” for Annex I countries in a compatible manner with economy-wide quantified emission reduction commitments for all Annex I Parties;
- (c) recognizing that the concept of comparability is established under the Bali Action Plan and not in a process under the Kyoto Protocol, ensure that comparability among all Annex I Parties shall express itself in magnitude, form, and in compliance requirements.

5. [Comparability of mitigation efforts by [developed country Parties] [shall] [should] be ensured through

- (a) [Their [[magnitude] [, using tonnes of CO<sub>2</sub> eq as a unit of comparability] [level of mitigation ambition]]];]
- (b) [Their [[form[nature] and] legal effect];]
- (b).1 A more robust and stricter compliance mechanism than that in the first commitment period of the KP, including increased caps for emission reductions for non compliant Parties within an agreed timeframe;
- (c) [Consistency with [relevant provisions of the Kyoto Protocol [and] related decisions of the COP [and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) applying to the first commitment period]], [including requirements for compliance, monitoring and enforcement];]
- (d) [Time frames [commitment periods] and the application of the same base year established by the Kyoto Protocol.] ]
- (e) [Magnitude, form and compliance requirements]
- (f) [The extent to which they address their emission debt]

Alternative 1 to para 5

- [(a) Comprehensiveness: targets, policies, measures, actions and etc.;
- (b) Same nature of commitments: quantified and legally-binding;

- (c) Proximity of magnitude and intensity;
- (d) Same compliance, monitoring and verification mechanism.]

Alternative 2 to para 5

- [(a) The establishment or reaffirmation of legally-binding quantified emission limitation or reduction commitments stated relative to 1990 or to other base years consistent with Article 4.6 of the Convention and decision 9/CP.2;
- (b) Timeframes for emission reductions that are of the same duration;
- (c) Comparable provisions for monitoring, reporting and verification of emissions by sources and removals by sinks;
- (d) Provisions for third party review of annual emissions inventories and any supplemental information required;
- (e) Comparable compliance requirements for all Annex I Parties.]

Alternative 3 to para 5

- [(a) Comparable emission reduction or limitation objectives, using economy-wide emission reduction/limitation targets under the Kyoto Protocol as a reference;
- (b) Similar legal nature of commitments;
- (c) Similar requirements for measurement, reporting and verification;
- (d) Similar provisions for compliance. ]

6. Ensuring comparability of efforts in a transparent manner among developed countries mitigation efforts will require the establishment of specific indicators in order to compare compliance with country commitments and define which national circumstances are taken into consideration.

7. [In assessing comparability of efforts by [developed country Parties], the following factors [shall] [should] be taken into account:

- (a) [Historical responsibility for [both] [emissions] [as well as] [and] [global temperature increase]; ]
  - (a).1 Share of absolute greenhouse gas emissions
- (b) [National [and regional] development priorities;]
- (c) [Natural and geographical characteristics;][and] resource endowment;]
- (d) [Availability of [low-carbon] [low-GHG emission] energy supply options and opportunities for fuel switching;]
- (e) [[Trends in] [GHG] emissions [per capita][,][and carbon intensity] [[per unit of gross domestic product (GDP)], [per energy unit][and population trends]]]; ]
  - (e).1 Population trends
- (f) [Domestic mitigation potential [and mitigation costs, aggregate [and marginal] economic costs, domestic achievement of emission reduction and per capita effort;] ]

- (g) [Sector-specific circumstances and sectoral energy efficiency and [GHG][carbon ] intensity;]
- (g).1 Covering all sectors and all GHG emissions;
- (h) [Degree of access to flexibility mechanisms;]
- (i) [[Relative][Absolute] size of the economy; [and relative ]ability to pay [, and economic and technological capacity];]
- (i).1 Technological capacity;
- (j) [Extent of transition to a market economy;]
- (k) [Position on the human development index.]
- (l) [Methodologies used for calculation of reduction potentials and setting quantified national GHG emissions reduction targets should allow the setting of equitable burden sharing which is measurable, reportable, and verifiable;]
- (m) [the extent of international assistance provided by World Bank or IBRD;]
- (n) [Responsibility of Annex I Parties, individually and jointly, for current atmospheric concentrations of greenhouse gases;]
- (o) [The historical and current per-capita emissions originating in developed countries;]
- (p) [The share of global emissions required by developing countries in order to meet their social and economic development needs.] ]

Alternative 1 to para 7:

[To facilitate understanding of comparability of effort, each [developed country Party's] schedule shall be subject to regular and transparent review.]

Alternative 2 to para 7:

[In view of the need to ensure comparability of efforts, the development of quantified emission limitation and reduction objectives should be guided by considerations of capability and responsibility, taking into account such factors as:

- (a) the capability to pay for domestic emission reductions and to purchase emission reduction credits from developing countries;
- (b) the GHG emission reduction potential;
- (c) domestic early action to reduce GHG emissions;
- (d) population trends and total GHG emissions.]

Alternative 3 to para 7:

[Quantified emission limitation and reduction objectives shall reflect developed countries' historical responsibility and capability.]

Proposed new subheading: Comparability of efforts between large and small Parties

8. [Due consideration should be given to comparability of efforts between large and small Parties. Small Parties should not face disproportionate disadvantages due to lack of flexibility of action because of the size of their economy, limited opportunities for fuel switching, and other factors. ] [The mitigation commitment of a Party where a single project adds in any one year more than five per cent to the total

carbon dioxide emissions of the Party in 1990, shall be adjusted by subtracting the proportional impact provided the following conditions: (i) the total carbon dioxide emissions of the Party were less than 0.05 per cent of the total carbon dioxide emissions of Annex I Parties in 1990, (ii) renewable energy is used for the single project, resulting in a reduction in greenhouse gas emissions per unit of production, and (iii) best environmental practice is followed and best available technology is used to minimize process emissions.]

9. [ [Suitable criteria [, agreeable to every Party,] should be used in defining “developed country Parties”.] [There should be a dynamic continuum with different commitments, actions and support for different countries based on common, objective criteria.] ]

10.

#### Option 1

[An objective, consistent, transparent, thorough and comprehensive technical assessment of the comparability of efforts among [developed country Parties] shall be [facilitated][made] by a technical panel on comparability [established under the COP]. The panel shall assess the information provided by [developed country Parties] in their annual national communications [and other data available by international organizations] and report its findings to the COP [and CMP] for further action. If the report indicates questions relating to comparability, the COP shall refer the matter to a compliance committee for attention.]

#### Option 2

[The assessment of comparability needs to be made under both the COP and Conference of Parties serving as the meeting of Parties (CMP) for [developed country Parties], through formulating a technical panel (including members from Annex I and non Annex I as well as representative from secretariat) on comparability that would assess the information provided by [developed country Parties] in their annual national communications and report its finding to the COP and CMP for further action].]

#### Alternative to para 10:

[An international compliance mechanism should be established under the Convention in order to compare efforts among developed countries mitigation actions and ensure its effective compliance.]

11. [[Developed country Parties] shall achieve their quantified emission limitation and reduction objectives

#### Option 1

[exclusively through domestic action.]

#### Option 2

[primarily through domestic emission reductions efforts.] [A maximum of [X] per cent of their commitments should be achieved through the use of [flexible] [carbon market] mechanisms, including offsets].

#### Option 3

[through a combination of domestic emission reductions efforts and [flexible] [carbon market] mechanisms.] [A maximum of [X] per cent of their commitments should be achieved through the use of [flexible] [carbon market] mechanisms, including offsets]. ]

12. Definitions, modalities, rules and guidelines for the treatment of land use, land use change and forestry under the Kyoto Protocol shall apply to all [developed country Parties].

*[Mitigation commitments or actions]*<sup>2</sup>

13. To enhance mitigation commitments under Article 4.2(a) and (b) of the Convention, developed country Parties in Annex I of the Convention shall:

- (a) in establishing the magnitude of mitigation commitments, reflect historical responsibility for climate change and ensure ambitious mid-term mitigation commitments for Annex I Parties as a whole compatible with an ambitious long-term target;
- (b) adopt policies and measures in the form of economy-wide quantified emission reduction commitments;

14. Annex I Parties collectively, whether or not Parties to the Kyoto Protocol, must reduce their emissions by at least 45 per cent below 1990 levels by 2020 and by more than 95 per cent below their 1990 levels by 2050.

15. The Annex I Parties shall individually or jointly reduce their anthropogenic GHG emissions by at least 40 per cent below the 1990 baseline by 2020.

16. Consideration of commitments or actions by developed country Parties requires close coordination with the discussions at the AWG-KP.

17. [All [developed country Parties] [shall][should] [individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the GHGs listed in (x) do not exceed][take leadership to] adopt [legally binding] [measurable, reportable and verifiable] [[nationally appropriate] mitigation commitments or actions] [expressed as] [including] [economy-wide] quantified emission limitation and reduction [objectives<sup>3</sup>] [for [up, to and beyond 2012] the period from [1990][2013] [XXXX] until [2017] [2020] [XXXX],] [as inscribed in Annex X] [of at least 40per cent relative to 1990, by 2020] while ensuring comparability of efforts among them,[ based on their historical responsibility,] [[taking into account] [national circumstances for Parties “with economies that are highly dependent on income generated from the production, processing and export and/or consumption of fossil fuels” as specified in Article 4.8 (h)] [differences in their national circumstances]]. [These commitments or actions shall be inscribed in [Annex ...] [[Appendix ...][Schedule ...][...]]] [with a view to collectively reducing their GHG emissions in the order of 30 per cent from 1990 levels by 2020]

*Alternative 1 to paragraph 17:*

[All Annex I Parties shall adopt quantified emission reductions commitments required from developed countries should include: aggregate emission reductions of at least 45 per cent by 2020 and at least 95 per cent by 2050, both with respect to 1990 levels. Quantified emission reductions commitments by developed countries shall be measurable, reportable and verifiable according to the Bali Action Plan.]

*Alternative 2 to paragraph 17:*

[All developed country Parties and countries that are voluntarily wish to be treated as developed countries shall adopt legally binding mitigation commitments or actions.]

*Alternative 3 to paragraph 17:*

[Developed countries shall undertake measurable, reportable and verifiable legally-binding deeper quantified emission reduction commitments. Given their historical responsibility and based on the

<sup>2</sup> Co-facilitator's note: This provisional heading is suggested in order to improve readability; it can be changed or deleted later if Parties so decide.

<sup>3</sup> The term “quantified emission limitation and reduction objectives” is used in paragraph 1 (b) (i) of the Bali Action Plan and is used in this document without prejudice to the outcome of the negotiations on this matter. Alternative formulations used by Parties include: “quantified emission reduction objectives”, “quantified emission reduction commitments”, “quantified emission reduction targets” and “quantitative emissions reductions/removals”.

principle of equality, developed countries shall reduce their GHG emissions in aggregate by at least 40 per cent below their 1990 levels by 2020 and take corresponding policies, measures and actions.]

*Alternative 4 to paragraph 17:*

[All developed country Parties [shall] adopt legally binding mitigation commitments including economy-wide quantified emission reduction objectives for the period from [2013] until 2020, while ensuring comparability of efforts among them, taking into account differences in their national circumstances. These commitments or actions shall be inscribed in [Annex...].]

18. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases do not exceed their assigned amounts, calculated pursuant to their quantified emission reduction commitments, with a view to reducing their overall emissions of such gases by at least 40 per cent below 1990 levels by 2020 and by at least 95 per cent by 2050.

*[Achieving quantified emission limitation and reduction objectives]*<sup>4</sup>

19. Adopt national policies and take corresponding measures on the urgent mitigation of climate change, by limiting their anthropogenic emissions of greenhouse gases and protecting and enhancing their greenhouse gas sinks and reservoirs, and that these policies and measures will demonstrate that the developed countries are taking the lead in modifying longer term trends in anthropogenic emissions consistent with the objective of the Convention ensure that this enhanced mitigation does not affect the legal status and continued effectiveness of the quantified emission reduction commitments of Annex I Parties that are Parties to the Kyoto Protocol of the UNFCCC.

20. The minimum expectations with regard to the commitments and actions Parties would register in their national schedules would be for all developed country Parties, an economy-wide quantified emission limitation or reduction commitment.

21. [Schedules should be used to register nationally appropriate mitigation commitments and actions.]

22. Developed country Parties which have not taken commitments prescribed in Article 3 of the Kyoto Protocol, and other Parties who voluntarily elect to do so, shall individually or jointly, undertake verifiable, nationally appropriate mitigation commitments or actions in the form of quantified emission limitation and reduction commitments.

23. In the post-2012 agreement, the developed countries will adopt legally binding commitments, by means of the examinations of commitments and activities that have to be measurable, reportable and verifiable (according to para. 1(b)(i) of the BAP) quantifying absolute emission reductions, focusing on those sectors, sources and gases that contribute most to total greenhouse gas emissions and facilitate the transition towards the low carbon economies in order to achieve sustainable development.

24. Option 1

[Quantified emission [limitation and] reduction [objectives] [commitments] for [developed country Parties] shall be those inscribed in Annex B to the Kyoto Protocol as amended [shall be taken as reference], and quantified emission [limitation and] reduction [objectives] [commitments] for those [developed country Parties] that are not Parties to the Kyoto Protocol shall be as contained in ([the annex of the current instrument]...). The commitments under the Kyoto Protocol [shall] be taken as a reference [; commitments] [Commitments] for those developed country Parties that are not Parties to the

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<sup>4</sup> Co-facilitator's note: This provisional heading is suggested in order to improve readability; it can be changed or deleted later if Parties so decide.

Kyoto Protocol [shall] [thus] be comparable [with][to the] commitments taken by [developed country Parties] under the Kyoto Protocol, including with regard to the base year used to express them. ]

#### Option 1.1

Measurable, reportable and verifiable nationally appropriate mitigation commitments shall be expressed as quantified emission limitation and reduction objectives (QELROS). For countries that are Parties to the Kyoto Protocol, the QELROS shall be expressed as a reduction in 2020 compared to total reported emissions falling within limits set by the Kyoto Protocol and relevant COP and CMP decisions during the first commitment period.

25. Developed country Parties that are also Party to the Amendment to the Kyoto Protocol may in order to achieve their quantified emission limitation and reduction objectives, utilize the flexible mechanisms established in terms of the Kyoto Protocol.

#### 26. Option 2

[Developed country Parties] shall, individually or jointly, ensure that their aggregate anthropogenic CO<sub>2</sub> emissions of the GHGs listed in (...) do not exceed, in the commitment period 2013 to [20XX], their respective [assigned amounts] [mitigation target taking into account their historical responsibility would be inscribed in (...).] [Annex B (see below) which are established in a manner ensuring comparability of efforts of each Party, taking into account national and sectoral aspects, in order to take the lead in combating climate change, with a view to contributing to the global efforts towards the peaking-out of the global emissions of greenhouse gases in the next ten to twenty years, and to ensuring a long-term pathway for each Party included in Annex I towards significant emission reduction].]

*Proposal for an Annex in the context of paragraph 26:*

#### Annex B

| Party | Quantified emission limitation or reduction commitment in the commitment period 2013-20xx |                                      |                                      |                                      |                                      |
|-------|-------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
|       | Assigned amount (Gg-CO <sub>2</sub> e)                                                    | reduction rates from 1990 (per cent) | reduction rates from 2000 (per cent) | reduction rates from 2005 (per cent) | reduction rates from 2007 (per cent) |
| A     | xxx                                                                                       | xxx                                  | xxx                                  | xxx                                  | xxx                                  |
| B     | xxx                                                                                       | xxx                                  | xxx                                  | xxx                                  | xxx                                  |
| ...   | ...                                                                                       | ...                                  | ...                                  | ...                                  | ...                                  |

27. Parties that undertake such actions or commitments as described in paragraph 22 above shall ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of greenhouse gases do not exceed their agreed targets inscribed in Annex (see below) for the assessment period 2012-2017.

*Proposal for an Annex in the context of this addition:*

| Annex I |                                                                                                                               |
|---------|-------------------------------------------------------------------------------------------------------------------------------|
| Party   | Quantified emission limitation or reduction commitment or action for assessment period 2012-2017 compared with 1990 base year |

## 28. Option 3

[Recalling Articles [4.1(b)][2(a)] [and 4.2] of the Convention, [developed country Parties] shall implement their respective nationally appropriate mitigation [commitments or actions] [action], [which are measurable, reportable and verifiable,] including quantitative emission [limitation and reduction objectives] [reductions] and/or removals in the 2020/(...) time frame[, in conformity with domestic law] [and adjusted through multi-lateral negotiations]. They shall also formulate [, submit and implement] [and submit] low-emission<sup>5</sup> strategies [that articulate an emission pathway[s] to 2050] [in pursuit of their quantified emission reduction commitments for 2020 and 2050], including long-term net emission reductions of at least [(...)] [40 per cent from 1990 levels by 2020 and 95 per cent][(...)] by 2050. Mitigation [commitments or] action[s] [commitments by all developed countries shall be] [is][shall be] subject to measurement, reporting and verification [according to internationally agreed guidelines] [and compliance].]

Alternative to paragraph 28:

[Recalling Article 4.1(b) of the Convention and recognizing that the levels of ambition expected of Parties will necessarily evolve over time as their respective national circumstances and respective capabilities change:

With respect to developed country Parties:

- (a) For each such Party, Appendix 1 (*found in Addition 2 under proposals for additional sections/subsections at the beginning of Chapter III*) includes quantitative emissions reductions/removals in the 2020/[Annex] timeframe, in conformity with domestic law.
- (b) Each such Party shall formulate and submit a low-carbon strategy for long-term net emissions reductions of at least [Annex] by 2050.]

## 29. Option 4

[Each [developed country Party] shall establish, regularly update and implement the contents of national schedules, which [shall][should] include long-term national GHG limitation or reduction pathways, quantified emission limitation or reduction commitments for 2020, and measurable, reportable and verifiable mitigation policies and measures designed to meet those commitments, subject to regular review by the COP. Each national schedule [shall][should] provide details on the goals, policies and measures that underpin the Party's commitments, including details on (1) expected emission reduction pathways, including mid- and long-term emission reduction goals, and (2) enabling domestic measures, such as emissions trading regimes and renewable energy targets.]

## 30. Option 5

[Each Party should decide on a suitable commitment for itself, choosing whether to undertake quantified emission reduction and limitation commitments or nationally appropriate mitigation actions, and whether such commitments or actions will be undertaken voluntarily or in a legally binding context either internationally or domestically.]

2. [Measurement, reporting and verification of commitments or actions]

31. [The current system for reporting and review of national communications and national GHG inventories under the Convention, with its independent review structure, provides a basis for the measurement, reporting and verification of mitigation commitments or actions by [developed country

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<sup>5</sup> Parties in their submissions refer either to "low-emission" or "low-carbon" in their proposals of strategies or plans. For the purpose of this document, "low-emission" is used as a more inclusive term pending the outcome of negotiations on this issue.



Parties]. In the implementation of measurement, reporting and verification, relevant provisions of Articles 5, 7 and 8 of the Kyoto Protocol and related decisions [shall] [should] be applied. These procedures [shall] [should] be [further strengthened] [made more stringent]. The COP shall review and finalize the principles, modalities, rules and guidelines for measurement, reporting and verification, including those relating to quantified emission limitation and reduction commitments.]

*Alternative to paragraph 31:*

[The quantified emission reduction targets and corresponding policies, measures and actions undertaken by developed countries shall be measurable, reportable and verifiable. The measurable, reportable and verifiable requirement shall apply to the progress and results of implementation actions as well as the quantified emission reduction commitments per se, which shall apply, mutatis mutandis, the provisions and procedures of the Kyoto Protocol regarding compliance, monitoring and verification mechanisms.]

32. Measurement, reporting and verification shall include an assessment of costs and adverse impacts of the mitigation actions, policies and measures, in particular impacts on the developing countries specified in Article 4.8 (h), as well as an assessment of efforts to eliminate such adverse impacts.

33. The COP shall define the relevant principles, modalities, rules and guidelines, in particular for verification, reporting and accountability for implementation of quantified emission limitation and reduction commitments.

34. *[Issues identified by Parties in the context of the paragraphs above as requiring further elaboration at the appropriate time include modalities for implementing measurement, reporting and verification, including revision or development of relevant guidelines.]*

3. [[Compliance with] [Review of] quantified emission [limitation and] reduction [objectives]]  
[commitments or obligations)]]

35. Develop a compliance system built on the existing mechanisms that address issues of non-compliance flowing from the measurement, reporting, and verifying process.

36. To ensure compliance under the Convention, operationalize Article 13 of the Convention, through the adoption of Decision 10/CP.4 on the multilateral consultative process, and its Annex on its Terms of Reference.

37. [[Compliance with] [Review of] quantified emission [limitation and] reduction [objectives][commitments] [and financial commitments for adaptation and technology transfer] undertaken by [developed country Parties] [shall][should] be monitored and assessed in a robust and credible manner based on agreed procedures for measurement, reporting and verification. [The monitoring and assessment of compliance [shall][should]]

[Option 1

utilize the relevant procedures implemented under the Kyoto Protocol. These provisions may be enhanced as appropriate, [taking into account experiences gained from relevant international agreements].]

[Option 2

[be undertaken within a [new compliance system [under the COP] [under the new agreement]] [review process]. ]]

38. [The monitoring and assessment of compliance [shall][should]]

## [Option 1

[lead to the application of penalties for non-compliance, including increased future reduction commitments by an amount calculated as a multiple of the shortfall in implementation and financial contributions as penalties or fines and paid into an enhanced financial mechanism monetary penalties to be paid to the Adaptation Fund)] [taking into account experiences gained from relevant international agreements].]

## [Option 2

[utilize procedures and mechanisms to address cases of non-compliance determined by the principle that they should be designed to facilitate compliance in the future. ]]

## [Option 3

[lead to the application of penalties for non-compliance, including [increased future reduction commitments by an amount calculated as a multiple of the shortfall in implementation [and] [as well as ] financial contributions as penalties [10 times to the market price of one tonne of carbon and ] [or] fines [and] paid into [an enhanced] [the Convention] financial mechanism][monetary penalties to be paid to the Adaptation Fund][a mechanism that establishes clear and direct consequences for non-compliance].]]]

*Alternative to paragraphs 37 and/or 38:*

[The compliance procedures applied to Kyoto Parties under Section XV of the annex to decision 24/CP.7 and that are relevant to quantified emission limitation or reduction commitments shall be applied equally to all Annex I Parties, whether or not Parties to the Kyoto Protocol. Such compliance procedures may be enhanced.]

39. Commitments or actions undertaken by Parties identified in paragraph 22 above shall be subject to compliance provisions and shall be guided by the compliance procedures developed pursuant to Article 18 of the Kyoto Protocol.

40. Parties undertaking commitments or actions under paragraph 22 above shall not use these commitments to fulfil obligations established under the Kyoto Protocol.

41. *[Issues identified by Parties in the context of paragraphs above as requiring further elaboration at the appropriate time include modalities for the implementation of compliance procedures, including revision or development of relevant guidelines; and the possibility of establishing a new body for compliance and for measurement and reporting.]*

*Proposed new subsection on joint fulfilment:*

42. Any Parties included in Annex I that have reached an agreement to fulfil their respective commitments under subparagraph (a) above jointly, shall be deemed to have met those commitments provided that their total combined aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts inscribed in Annex B. The respective emission level allocated to each of the Parties to the agreement shall be set out in that agreement.

43. The Parties to any such agreement shall notify the secretariat of the terms of the agreement on the date of deposit of their instruments of ratification, acceptance or approval of this Protocol, or accession thereto. The secretariat shall in turn inform the Parties and signatories to the Convention of the terms of the agreement. Any such agreement shall remain in operation for the duration of the commitment period referred to in subparagraph (a) above.

44. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization, any alteration in the composition of the organization after adoption of this Protocol shall not affect existing commitments under this Protocol.

45. In the event of failure by the Parties to such an agreement to achieve their total level of emission reductions, each Party to that agreement shall be responsible for its own level of emissions set out in the agreement.

46. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization which is itself a Party to this Protocol, each member State of that regional economic integration organization individually, and together with the regional economic integration organization, shall, in the event of failure to achieve the total combined level of emission reductions, be responsible for its level of emissions as notified in accordance with subparagraph (ii) above.

*Proposed new subsection on LULUCF:*

47. The net changes in greenhouse gas emissions by sources and removals by sinks resulting from direct human-induced land-use change and forestry activities, limited to afforestation, reforestation and deforestation since 1990, measured as verifiable changes in carbon stocks in the commitment period referred to in subparagraph (a) above, shall be used to meet the commitments under subparagraph (a) above of each Party included in Annex I. The greenhouse gas emissions by sources and removals by sinks associated with those activities shall be reported in a transparent and verifiable manner and reviewed.

48. The greenhouse gas emissions by sources and removals by sinks resulting from additional human-induced land use, land-use change and forestry activities may be used to meet the commitments under subparagraph (a) above of each Party included in Annex I, provided that these activities have taken place since 1990.

49. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session, decide upon modalities, rules and guidelines related to the issues referred to in subparagraphs (i) and (ii) above, taking into account uncertainties, transparency in reporting, verifiability, the methodological work of the Intergovernmental Panel on Climate Change, the advice provided by the Subsidiary Body for Scientific and Technological Advice and the decisions of the Conference of the Parties.

*Proposal to insert as Annex:*

| Annex A                                                                                        |
|------------------------------------------------------------------------------------------------|
| National Schedules of Mitigation Commitments and Actions                                       |
| [Alphabetical List of National Schedules of Parties]                                           |
| National Schedule for [Name of Party] [to be filled in as per Article 4] (of Party Submission) |

|                           |  |  |  |
|---------------------------|--|--|--|
| National pathway          |  |  |  |
|                           |  |  |  |
| Emissions pathway to 2050 |  |  |  |

#### Economy-wide nationally appropriate mitigation commitments and actions

| Name/brief description of commitment or action | Baseline/ reference case        | Emissions outcomes expected | Unilateral/supported |
|------------------------------------------------|---------------------------------|-----------------------------|----------------------|
|                                                | e.g. year, period,              | XXX                         | XXX                  |
|                                                | BAU, Mt CO <sub>2</sub> e/unit, |                             |                      |
|                                                | KW/h/unit, etc                  |                             |                      |

#### Sectoral nationally appropriate mitigation commitments and actions

| Name/brief description of commitment or action | Baseline/ reference case        | Emissions outcomes expected | Unilateral/supported |
|------------------------------------------------|---------------------------------|-----------------------------|----------------------|
|                                                | e.g. year, period,              | XXX                         | XXX                  |
|                                                | BAU, Mt CO <sub>2</sub> e/unit, |                             |                      |
|                                                | KW/h/unit, etc                  |                             |                      |

| ANNEX B                                                                       |
|-------------------------------------------------------------------------------|
| GREENHOUSE GASES AND SECTORS/SOURCE CATEGORIES                                |
| <i>[NOTE: Greenhouse gases and sectors/source categories to be inserted.]</i> |

Annex III B

**Enhanced action on mitigation**

**Nationally appropriate mitigation actions by developing countries**

This annex contains the text found in sub-chapter III B of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), grouped into eight clusters of similar concepts by the co-facilitator. This grouping was carried out using the same approach that was used to prepare the non-paper on paragraph 1 (b) (ii) of the Bali Action Plan presented to Parties during the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

The headings of the clusters do not represent the subsection headings contained in sub-chapter III B of the revised negotiating text, nor are they suggestions for new headings. They are simply themes around which text is grouped. Furthermore, the presentation of these clusters does not imply any sequencing.

This annex contains a number of cross-references back to the revised negotiating text.

Paragraphs can be traced to their origin by using the explanatory table contained in annex III B to document FCCC/AWGLCA/2009/INF.2/Add.1.

Structural proposals:

- 1) Move paragraphs 111, 112 and 115–118 to chapter III B, subsection 3, on measurement, reporting and verification of support.
- 2) Move paragraph 127 to chapter III B, subsection 5, on institutional arrangements.
- 3) Move the amended version of paragraph 73 providing examples of possible commitments and actions that Parties could register in national schedules to a proposed new subsection on national schedules.
- 4) Move paragraphs 70–73 as options under paragraph 74.
- 5) Move paragraph 74 to a proposed new section on mitigation elements common to all Parties.
- 6) Move all proposals related to finance contained in paragraphs 75–80 to chapter IV A on finance.
- 7) Move all options included in paragraphs 77–80, except paragraph 78, subparagraph 3, to chapter IV A on finance.
- 8) Move paragraph 81 to chapter IV A on finance.
- 9) Move paragraph 82 to a proposed new subsection on low-emission development strategies.
- 10) Move this section to chapter IV on enhanced action on financing, technology and capacity-building.
- 11) Make subparagraph 83 (f) paragraph 83.1.
- 12) Move this section to a proposed stand-alone section on MRV of commitments and actions (of both developed and developing countries).
- 13) Move paragraph 88 to the first section of a proposed new section on common elements for all Parties.

[Cluster A: Introductory material (Principles, Objectives and Nature)]

*[What is the objective of nationally appropriate mitigation actions by developing countries?]*

1. To enhance implementation of Article 4.1 of the Convention, enabled and supported through enhanced implementation of commitments of developed country Parties and other Parties included in Annex II under Articles 4.3, 4.4 and 4.5, in accordance with Article 4.7 of the Convention.

*[What should be the guiding principles for nationally appropriate mitigation actions by developing countries?]*

2. Abide by the principles of the Convention embodied in its Article 3, in particular the right to sustainable development enunciated in its Article 3.4.

3. Recognize that nationally appropriate mitigation actions by developing country Parties are taken in the context of sustainable development.

4. Act in accordance with, and take the necessary steps to ensure the implementation of, Article 4.7 of the Convention, which stipulates that “the extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties” (enhanced support and enabling means result in enhanced actions of developing country Parties and not the other way ‘round).

5. [The extent of mitigation actions undertaken by developing countries will depend on the extent of effective provision of financial and technological support by developed country Parties.]

6. [The extent to which mitigation actions can be undertaken by developing countries will depend on the effective provision of financial, technological and capacity-building support by developed country Parties.]

7. [The [level][extent] of mitigation [effort][action] by developing countries shall be commensurate with the level of support received.]

8. [The level of mitigation effort by developing countries shall be commensurate with the level of financial resources and technology received.]

9. Enhance the implementation of Article 12.4 of the Convention, that developing country Parties may, on a voluntary basis, propose projects for financing, including specific technologies, materials, equipment, techniques or practices that would be needed to implement such projects, along with, if possible, an estimate of all incremental costs, of the reductions of emissions and increments of removals of GHGs (GHG), as well as an estimate of the consequent benefits.

10. Give international recognition that developing country Parties are undertaking mitigation actions domestically based on their own resources.

11. [The NAMAS by developing country Parties [should][shall] be different for different groups of countries, depending on the level of development of their economies [, particularly in the case of LDCs and SIDS,] and on their respective capacities and specific national circumstances [, including limited opportunities that may be available for using alternative energy sources].]

12. [NAMAs may be different for different groups of countries, depending upon their national circumstances.]

13. The NAMAs of developing country Parties shall take into account their national circumstances. Parties' ability to reduce GHG emissions is affected by their access to alternative energy options. To this effect, pursuant to Article 4, paragraph 10 of the Convention, the difficulties faced by developing country Parties in switching from fossil fuels to alternative energy sources shall be quantified and taken into account to reflect their alternative-energy disadvantage.

14. [The NAMAs by developing country Parties [should] evolve over time to reflect changes in national circumstances assessed in accordance with objective criteria of economic development.] [The Conference of the Parties should review the circumstances of each Party periodically.]

15. [Recalling Article 4.1(b) of the Convention and recognizing that the levels of ambition expected of Parties will necessarily evolve over time as their respective national circumstances and respective capabilities change.]

16. [The NAMAs by developing country Parties [shall][should] be formulated consistent with the levels of ambition needed to contribute to meeting the ultimate objective of the Convention.]

*[What is the nature of the nationally appropriate mitigation actions by developing countries?]*

17. Recognize that nationally appropriate mitigation actions for developing country Parties, as defined in the Bali Action Plan, paragraph 1 b (ii), are distinct from the mitigation commitments of developed country Parties under its paragraph 1 b (i), both in magnitude and in legal nature.

18. [The NAMAs by developing country Parties [shall][should] be distinct from the commitments of developed country Parties and should not constitute binding obligations or targets for developing country Parties [, or be used as a basis for differentiating among them].]

19. [The NAMAs by developing country Parties [shall][should] be distinct from the commitments of developed country Parties and other Parties included in Annex I to the Convention and should not constitute binding obligations or targets for developing country Parties, or be used as a basis for differentiating among them.]

20. [The NAMAs by developing country Parties [shall][should] be distinct from the commitments of developed country Parties and should not constitute binding obligations or targets for developing country Parties [, or be used as a basis for differentiating among them.]] [Should][Shall] be different for different groups of countries, depending on the level of development of their economies (, particularly in the case of LDCs and SIDS,) and on their respective capacities and specific national circumstances.

21. NAMAs by developing countries are voluntary and contingent on financial and technical support by developed countries.

*[Cluster B: Definition and Scope]*

*[What constitutes nationally appropriate mitigation actions by developing countries?]*

22. [Developing country Parties contribute to enhanced mitigation by undertaking range of actions including NAMAs in the context of low-carbon/emissions development strategies. These actions should be country-driven [, commensurate with responsibilities and capabilities of each country Party,] [undertaken [on a voluntary basis] [either as international obligation or on a voluntary basis] in the context of sustainable development, with MRVed means of implementation particularly finance and capacity-building, in conformity with prior needs of sustainable development and eradication of poverty, and [determined and formulated at the national], in accordance with all levels of government authorities, [or international] level in accordance with the principle of equity and of common but differentiated responsibilities and respective capabilities.]]

23. [Nationally appropriate mitigation actions by developing countries must result in a substantial deviation from baseline by 2020 in a measurable, verifiable and reportable manner if enabled and supported by appropriate funding and transfer of technology by developed countries.] [Individual mitigation efforts by developing country Parties must be also considered NAMAs, and thus, undertaken in a measurable, reportable and verifiable manner].

24. [Developing country Parties may enhance their mitigation actions through NAMAs in accordance with the principles of common but differentiated responsibilities and respective capabilities. These actions should be in conformity with national development priorities and in the context of sustainable development and poverty eradication. They shall be determined and formulated at the national level.]

25. [Recognizing that many developing country Parties have already taken early and sustained action to reduce their emissions growth, developing country Parties shall continue to contribute to enhanced international mitigation action by pursuing NAMAs, supported and enabled by technology, financing and capacity-building from developed country Parties and other Parties included in Annex II to the Convention. These actions should be country-driven, undertaken on a voluntary basis in the context of sustainable development, in conformity with prior needs of sustainable development and eradication of poverty, and determined and formulated at the national level in accordance with the principles of common but differentiated responsibilities and respective capabilities. Recognition should also be given to the unilateral NAMAs that continue to be taken without being supported and enabled by technology, financing and capacity-building from developed country Parties.]

26. [Developing country Parties, notwithstanding paragraph \_\_\_ above, shall undertake nationally appropriate mitigation actions to reduce GHG emissions.]

27. [Mitigation actions by developing countries constitute a meaningful contribution to enhanced mitigation. Such actions are voluntary, nationally appropriate, supported and enabled by developed countries through the provision of technology, finance and capacity-building. NAMAs, which may include projects and programmes, shall be formulated through a country-driven process, and in accordance with the principles of common but differentiated responsibilities and respective capabilities. The aim of these actions is to reduce or avoid emissions, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty.]

*[What is the scope of nationally appropriate mitigation actions by developing countries?]*

28. Nationally appropriate mitigation actions are all actions to mitigate climate change consistent with national circumstances, and that are commensurate with Parties' responsibilities and capabilities, as reflected in Parties' national programmes to mitigate climate change required by Article 4.1(b) of the Convention.

29. [Only those actions that are supported by developed country Parties can be characterized as NAMAs.]

30. [[A subset of] [NAMAs by developing country Parties [shall be]] [are actions] [Depending on the nature of NAMAs by developing country Parties, they may be] supported and enabled by technology, financing and capacity-building in accordance with Articles 4.3 and 4.7 of the Convention and undertaken in a measurable, reportable and verifiable manner.] [Supported and enabled NAMAs [and]] [as well as] the support for NAMAs [have been already progressed based on unilateral efforts as well as being] [shall] be undertaken in a measurable, reportable and verifiable manner. [The extent of mitigation actions undertaken by developing countries will depend on [negative cost measures and] the effective provision of financial, [and] technological and capacity-building support by developed country Parties.]]



[NAMAs by developing countries are contingent on financial and technical support by developed countries].]

31. [NAMAs can [be any actions defined by developing country Parties,] take suitable forms according to the responsibilities and capabilities of developing country Parties,] including any individual actions and [projects][large-scale mitigation programmes, beyond projects] according to national circumstances in the context of Articles 4.1(b), Article 4.3 and 12.4 of the Convention; that lead to measurable, reportable and verifiable emission reductions or limitations [and they should be based on ‘a no-lose target’ concept] [and should not generate offsets for developed country Parties][and shall be quantified to the extent possible].

32. [NAMAs may comprise individual mitigation actions, sets of actions or programmes [, including sustainable development policies and measures, [REDD], [programmatic CDM], [[no-lose sectoral crediting baselines] and others].]

33. NAMAs may comprise individual mitigation actions, sets of actions or programmes, including sustainable development policies and measures, REDD, programmatic CDM, no-lose sectoral crediting baselines and others, that are enabled by measurable, reportable and verifiable financial, technological and capacity-building support.

34. [NAMAs can be any actions defined by developing country Parties, including any individual actions and appropriate mitigation programmes in the context of Articles 4.1(b) and 12.4 of the Convention; and they should be based on a ‘no-lose target’ concept.]

35. [NAMAs can be any actions defined by developing country Parties, including any individual actions and [projects][large-scale mitigation programmes, beyond projects, and should not generate offsets for developed country Parties].]

36. [NAMAs must contribute to overall global GHG emission reductions in a measurable way (tons of emissions reduced) so that progress in achieving global emission reductions can be assessed and effort compared, and may include measurable and quantifiable emission reductions achieved through:

- (a) Renewable energy targets
- (b) Energy efficiency targets
- (c) ...etc.]

37. The NAMAs by developing country Parties [shall] [should] be in the form of sectoral and economy-wide GHG emission intensity targets (GHG emissions per GDP), with a view to substantially limiting the growth of GHG emissions in those developing countries that contribute substantially to global emissions of GHGs.

38. The NAMAs by developing country Parties [[shall][could include] actions] [be] [in the form of sectoral and economy-wide GHG emission intensity targets, with a view to substantially limiting the growth of GHG emissions in those developing countries that contribute substantially to global emissions of GHGs] [and have appropriate response capabilities].

39. Cooperative sectoral approaches and sector specific actions can be designed by developing countries within their NAMAs in order to receive financial support and technology transfer to achieve the mitigation potential identified in the selected sectors. These actions would not be eligible for crediting or participation in any market mechanism.

40. NAMAs by developing country Parties may comprise the following:
- (a) Actions enabled and supported by finance, technology and capacity-building from developed country Parties and other developed Parties included in Annex II to the Convention;
  - (b) Actions, not including those in subparagraph (a) above, that are undertaken unilaterally by developing country Parties through public funding or other means ("unilateral NAMAs");
  - (c) Actions pursued with the intention of generating credits to participate in carbon market(s).
41. [Developing country Parties in undertaking nationally appropriate mitigation actions may elect to take such actions under the following tiers:
- (a) Tier One: actions that are financed domestically, either nationally or subnationally;
  - (b) Tier Two: actions that are financed by international financial and/or technical support, either through bilateral support, support from the Multilateral Fund on Climate Change, or other international financial means;
  - (c) Tier Three: actions that are undertaken over and above those identified in tier one and tier two actions are based on an emission reduction target and may be eligible for trading of units.]
42. Nationally appropriate mitigation actions as described in paragraph 41 above<sup>1</sup> may be undertaken at the national, sectoral or project level.
43. [Parties that undertake tier three actions may be eligible to undertake international emissions trading. Eligibility for participation in international emissions trading shall be subject to relevant rules, modalities and guidelines developed by the COP (or Conference of Parties serving as the assembly of Parties.)]
44. [Any such trading shall be supplemental to domestic actions for the purposes of meeting commitments or actions and supplemental to tier one and tier two NAMAS.]
45. [Units generated through trading under this Article may be inter-tradable with units generated by the Kyoto Protocol, subject to rules, modalities and guidelines developed jointly by the COP (or Conference of Parties serving as the assembly of Parties to this Protocol) and the Conference of Parties serving as the meeting of Parties to the Kyoto Protocol.]
46. [Actions undertaken at the national or sectoral level by means of tier three<sup>2</sup> may be eligible for emissions trading, subject to appropriate measurable, reportable and verifiable requirements developed according to Article 4, paragraph 3.]
47. [NAMAs may include [but not limited to][inter alia]:
- (a) Development of national action plan]
  - (b) [Sustainable development policies and measures;]

<sup>1</sup> Cross-references contained in this annex refer to the paragraph numbering of this annex only.

<sup>2</sup> Actions that are undertaken over and above those identified in tier one and tier two actions are based on an emission reduction target and may be eligible for trading of units.

- (c) [[Low-emission]][Low carbon] development strategies and plans;
  - (d) Renewable energy strategies and plans;
  - (e) [Programmatic CDM], technology deployment programmes [or standards], energy efficiency programmes [and energy pricing measures] standards of financial schemes, including renewable energy and energy efficiency;
  - (f) [Cap-and-trade schemes and carbon taxes] and the use of new and existing [flexible][carbon-market] mechanisms, including project- and program-based CDM;
  - (g) [[Economy-wide and] [Sectoral intensity targets], national sector-based mitigation actions and standards, [and no-lose sectoral crediting baselines];]
  - (h) [REDD-plus<sup>3</sup> activities and other mitigation actions implemented in [different]][related] areas and sectors[, including agriculture];]
  - (i) Mitigation actions at the subnational or local level, in particular in cities and rural communities;
  - (j) Adaptation actions that have mitigation benefits;
  - (k) Mitigation actions that provide a win-win situation and that are clearly supported by measurable, reportable and verifiable means of implementation;
  - (l) Renewable energy policies and measures, including financial schemes;
  - (m) Bilateral actions or strategies implemented by developing country Parties;
  - (n) Renewable energy policies and measures, including financial schemes;
  - (o) Bilateral actions or strategies implemented by developing country Parties.
48. [NAMAs may include:
- (a) Sustainable development policies and measures;
  - (b) Low-emission development strategies and plans;
  - (c) The CDM, programmatic CDM, technology deployment programmes or standards, energy efficiency programmes and energy pricing measures;
  - (d) Cap-and-trade schemes and carbon taxes;
  - (e) Sectoral targets, national sector-based mitigation actions and standards, and no-lose sectoral crediting baselines.]
49. [Nationally appropriate mitigation actions shall incorporate the development and diffusion of low greenhouse emitting technologies, particularly renewable energy and energy efficiency technologies.]
50. [Nationally appropriate mitigation actions shall not include technologies that have adverse impacts on the environment, including, inter alia, nuclear power and large-scale hydro-electric power.]

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<sup>3</sup> In this document, actions under paragraph 1 (b) (iii) of the Bali Action Plan (issues related to policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries) are referred to collectively as “REDD-plus.”

[Cluster C: Support, enabling activities and institutional arrangements]

*[What support should be provided to nationally appropriate mitigation actions by developing countries?]*

51. [NAMAs by developing country Parties shall be supported and enabled by technology, financing and capacity-building in accordance with Articles 4.3, 4.5 and 4.7 of the Convention. Annex I Parties shall provide new and additional financial resources and technology, over and above that provided to enable developing countries to implement their commitments under Article 4.1 of the Convention.]

52. [International financial and technology support for NAMAs will come from a range of sources mobilized by the financial and technology mechanism(s). A set of criteria will be developed to ensure that the funds are spread evenly, ensuring equity, a fair distribution of benefits and an even spread across all economic sectors.]

53. [Incentives for developing country Parties can be provided by linking supporting measures (in technology and finance) and capacity building with efforts in measurement, [and] reporting [and verification].]

54. [NAMAs implemented by developing country Parties, undertaken as part of their low-carbon/emission development strategies, that are not financed by those Parties through autonomous action and require assistance in the form of financing, technology or capacity-building for implementation shall be supported by technology, financing and capacity-building in accordance with Articles 4.3, 4.7 and 11.5 of the Convention. Financial flows for mitigation will be sourced and governed in a transparent and balanced manner in line with [chapter 4][paragraphs 173 and 174] (of FCCC/AWGLCA/2009/INF.1) [text][agreement].]

55. [Implementation of actions shall be enhanced through the provision of financial resources technology transfer and support for building institutional capacity in developing countries.]

56. [Implementation of actions shall be enhanced through support for building institutional capacity in developing countries.]

57. [NAMAs shall be supported and enabled by financing, technology and capacity-building where sought by developing countries.]

58. [Financial and technological support shall enable developing country Parties to implement their NAMAs.]

59. [NAMAs by developing countries shall be supported on the basis of:

- (a) The agreed full cost for enabling activities; and
- (b) The agreed full incremental cost for implementation of NAMAs.]

60. [NAMAs for the agreed allocation deviation from business as usual which is undertaken by developing country Parties shall be supported on the basis of the full incremental cost.]

61. [Actions including NAMAs by developing countries [should][shall] be supported and enabled [by developed country Parties] [on the basis of [agreed] full [incremental] costs][on the basis of agreed full incremental cost][on the basis of agreed full cost and agreed full incremental cost] and total cost as appropriate.]

62. [Actions undertaken under tier two<sup>4</sup> shall be supported by financial assistance for the Mitigation Window of the Multilateral Fund on Climate Change and through other multilateral and bilateral funding sources, as appropriate.]

*[What institutional arrangements will be needed to support the implementation of nationally appropriate mitigation actions by developing countries?]*

63. Channel means of enabling implementation of mitigation actions by developing country Parties through the mechanisms on financing, technology and capacity-building as may be established under the Convention and the authority of the Conference of the Parties.

64. To support the implementation of the mitigation actions, the following new institutional arrangements should be established:

- (a) An Executive Body on Finance and Technology for Mitigation (EBFTM), accountable to the COP, shall be established;
- (b) The EBFTM will govern a Mitigation Fund to be created under the Convention;
- (c) The EBFTM will be supported by six technical panels on:
  - (i) Research and development;
  - (ii) Capacity-building;
  - (iii) Transfer of technologies for mitigation;
  - (iv) REDD plus;
  - (v) Market mechanisms;
  - (vi) Measurement, reporting and verification.

65. NAMAs should be submitted by developing countries to the EBFTM for support.

66. The Financial and Technology Mechanism on Mitigation shall aim to achieve:

- (a) Accessibility, affordability, appropriateness and adaptability of technologies required by developing countries for enhanced action on mitigation;
- (b) Provision of full costs and full incremental costs, as per Article 4.3 of the Convention;
- (c) Adequacy and predictability of funds for technology transfer;
- (d) Removal of barriers to technology development and transfer.

67. The proposed Financial and Technology Mechanism on Mitigation shall address all aspects of cooperation on technology research, development, diffusion and transfer in accordance with Articles 4.3, 4.5 and other relevant Articles of the Convention, in order to enable mitigation under the relevant paragraphs of decision 1/CP.13.

68. The proposed Financial and Technology Mechanism on Mitigation shall be governed by the following principles and guiding criteria:

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<sup>4</sup> Actions that are financed by international financial and/or technical support, either through bilateral support, support from the Multilateral Fund on Climate Change, or other international financial means.

- (a) Be underpinned by the principles of equity and common but differentiated responsibilities;
- (b) Operate under the authority and guidance of, and be fully accountable to, the COP;
- (c) Have an equitable and geographically balanced representation of all Parties within a transparent and efficient system of governance (Article 11.2);
- (d) Enable direct access to funding by the recipients and ensure the provision of new and additional, adequate and predictable financing resources for technology transfer;
- (e) Ensure recipient country involvement during the stages of identification, definition and implementation, rendering it truly demand driven;
- (f) Support the development and enhancement of endogenous capacities and technologies of developing country Parties.

69. The proposed Financial and Technology Mechanism on Mitigation is meant to ensure the full, effective and sustained implementation of the Convention, in relation to the implementation of commitments for the provision of financial resources, as mandated in Articles 4.1, 4.3, 4.4, 4.5 and 4.9 of the Convention and in accordance with Article 11.

70. [Procedures for the allocation of funds for tier two actions shall be developed by the Board of the Multilateral Fund on Climate Change and approved by the Conference of Parties serving as the assembly of the Parties.]

71. Developing country Parties may establish national coordinating bodies to build institutional capacity and facilitate coordination of the submission of proposals for NAMAs, together with the details of the support required for the implementation of the proposals for NAMAs. The latter should include an estimate of the full incremental costs that are to be met by the financial mechanism under the Convention.

72. [National coordinating bodies] [shall] [should] be established or be appointed to build or strengthen institutional capacity in developing countries, and to provide support and facilitate coordination for [development and implementation of low-carbon strategies and national inventories][the submission of NAMAs to the international register to register and facilitate the implementation of NAMAs and support for them (as referred to in paras 77–82 of FCCC/AWGLCA/2009/INF.1).] [The bodies should also facilitate coordination of mitigation actions undertaken without assistance from developed countries, to ensure international recognition of all mitigation action taken.]

*[What enabling activities relating to nationally appropriate mitigation actions will be supported?]*

73. All developing countries are encouraged to elaborate their NAMAs and, for this purpose, financial and technical support should be available upon request through the financing mechanism to be created under the Convention.

74. The elaboration of low-carbon/emission development strategies and plans for the least developed country Parties should be supported financially and technically.

75. Support shall be provided for the preparation of low-GHG emission development strategies.

76. Funding for national communications shall be adjusted accordingly to respond to the added reporting burden.

77. The agreed full costs of enabling activities undertaken by the national coordinating bodies shall be met by developed country Parties. The administration costs of national coordinating bodies shall be covered through international financial resources made available for this purpose. A separate pool of funding to finance national coordinating bodies through a direct line item in the secretariat's budget shall be established. Such support shall not be subject to measurement, reporting and verification.

78. [[Sufficient][Adequate and accessible][enhanced][agreed full costs][Adequate technical,][sustained] financial [support] and capacity-building shall be provided to developing country Parties to enable them to develop and maintain capacity to prepare national GHG emissions inventories and national communications.]

79. For supported NAMAs by developing countries, developed country Parties including those included in Annex II to the Convention shall provide new and additional financial resources to meet the agreed full cost of verification undertaken by the developing countries.

80. [NAMAs by developing countries [should][shall] be supported [on the basis of [agreed] full and [incremental] costs] on a full cost basis and shall be undertaken on a voluntary basis. The support [should] cover various activities in mitigation, including:]

- (a) Activities at different stages of a NAMA, including design preparedness, planning and implementation and related capacity-building;
- (b) [Creating and sustaining enabling environments for mitigation actions in developing countries, [including integrated [territorial] plans at national, regional and local level;][including support for climate integrated territorial plans at local, national and regional level, as appropriate]
- (c) [Identifying and removing barriers to unilateral actions;]
- (d) Planning and implementation of mitigation activities that have adaptation potentials;
- (e) [Undertaking measurement, reporting and verification of actions;]
- (f) [Technology needs assessments (TNAs);]
- (g) [Elaboration of low-emission development strategies and plans for [all developing countries][the LDCs] [should][shall] be supported [on the basis of agreed full incremental cost.]]

81. Modalities for measurement, reporting and verification in developing countries require support.

82. Modalities for measurement, reporting and verification in developing countries require support.

*[Cluster D: Plans and strategies]*

83. Each developing country Party shall, in accordance with Article 4.1 of the Convention, elaborate a low-carbon/emissions development strategy. Low-carbon/emissions development strategies shall contain:

- (a) The description of a long-term strategy for the low-carbon/emissions development of the developing country in the context of its broader sustainable development strategies, including an emission pathway, this means an emission projection planned to be achieved with the implementation of the strategy;
- (b) The description of all NAMAs, i.e. all mitigation actions that the developing country intends to undertake on its territory in the short- and medium term as part of this long-term strategy. For each NAMA, the developing country should:

- (i) Indicate autonomous action that is to be financed and implemented by the country itself;
- (ii) Identify barriers to the implementation of autonomous action, including identifying technology needs and barriers to technology deployment and diffusion, whose removal needs support;
- (iii) Indicate action that, due to the incremental costs, requires assistance, in the form of financing, technology or capacity-building for implementation;
- (iv) Specify, when relevant, what type of support in terms of finance, capacity-building and technology it considers most appropriate to enable the implementation of the NAMA;
- (v) Specify, when relevant, if the use of a [flexible][carbon market] mechanism is proposed, and the associated caps and thresholds;
- (vi) Specify the outcomes of the NAMA that are foreseen in terms of emission reductions for several time horizons, e.g. 2020, 2030 and 2050 and provide information on how these emission reductions were estimated.
- (vii) (Other elements)

84. Developing country Parties shall commit to integrating low-carbon/emission development strategies covering all key emitting sectors into national and sectoral strategies, and have them in place as soon as possible and no later than 2012.

85. The meeting of the Parties to this Agreement shall [at its first session] elaborate further guidelines and modalities for the elaboration and reporting of low-carbon/emission development strategies under this Article.

86. [Non-Annex I Parties shall adopt voluntary nationally appropriate mitigation actions in the context of sustainable development goals and objectives, which shall aim to address anthropogenic emissions of GHGs and protect and enhance GHG sinks and reservoirs in a measurable way and which, supported and enabled by technology, financing and capacity-building, shall contribute to achievement of the ultimate goal of the Convention by reducing emissions significantly from baseline projections.]

87. [In order to promote progress to this end, non-Annex I Parties, taking into account Article 4, paragraph 1, of the Convention and their specific national and regional development priorities, objectives and circumstances, shall:

- (a) Formulate national low-GHG emission development strategies containing nationally appropriate actions to mitigate climate change by addressing anthropogenic emissions by sources and removals by sinks of all GHGs not controlled by the Montreal Protocol, which in the aggregate shall aim to achieve a significant deviation from current baseline emissions by 2020 and by 2050, supported and enabled by technology, financing and capacity-building;
- (b) Communicate these strategies to the secretariat by [date] together with the following information:
  - (i) A description of steps taken or envisaged by the Party to implement its low-carbon development programme;



- (ii) A detailed description of the nationally appropriate mitigation actions that it has adopted or undertakes to adopt to implement its low-carbon development programme;
- (iii) An estimate of the effects that these nationally appropriate mitigation actions will have on anthropogenic emissions by its sources and removals by its sinks during the timeframes referenced in paragraph \_\_ above.]

88. [The NAMAs by developing country Parties, in further implementation of Article 4.1 of the Convention, shall be elaborated in the context of national low-emission development strategies to be developed by [all] developing country Parties consistent with their capacities and in the context of their broader sustainable development strategies. These low-emission development strategies]

- (a) Shall include an emission pathway (emission projection planned to be achieved with the implementation of the strategy). [The strategies should be put in place no later than 2012 and cover all key emitting sectors.]
- (b) Shall, for developing country Parties whose national circumstances reflect greater responsibility or capabilities, be formulated and submitted as low-emission strategies for long-term net emission reductions by 2050, consistent with the levels of ambition needed to contribute to meeting the ultimate objective of the Convention. [In this context, these countries shall implement NAMAs in the 2020/(...) time frame that are quantified (e.g. reduction from business as usual). [These countries shall indicate dates by when they will commit to the types of action undertaken by developed country Parties<sup>5</sup>.] [Actions by developing countries will be enhanced with support from developed countries];

89. [With respect to developing country Parties whose national circumstances reflect greater responsibility or capability;

- (a) For each such Party, Appendix 1 (*found in Addition 2 under proposals for additional sections/subsections at the beginning of chapter III of FCCC/AWGLCA/2009/INF.1*) includes nationally appropriate mitigation actions in the 2020/[ ] timeframe that are quantified (e.g. reduction from business as usual) and are consistent with the levels of ambition needed to contribute to meeting the objective of the Convention;
- (b) Each such Party shall formulate and submit a low-carbon strategy for long-term net emissions reductions by 2050, consistent with the levels of ambition needed to contribute to meeting the objective of the Convention;
- (c) Appendix x shall include date(s) by which each Party will commit to the type of action referred to in paragraph 1(a) (*refer to paragraph 62, Alternative to paragraph 62 of FCCC/AWGLCA/2009/INF.1*);
- (d) Other developing country Parties should implement nationally appropriate mitigation actions and develop low-carbon strategies, consistent with their capacity.]

90. The NAMAs by developing country Parties, in addition [, each developing country Party [should][shall] develop a voluntary national action plan, including policies and measures for mitigation, which [should] include quantified elements to the extent possible.]

91. The NAMAs by developing country Parties, in addition [, each developing country Party [should][shall] develop a voluntary national action plan, including policies and measures for mitigation, which [should] include quantified elements to the extent possible.]

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<sup>5</sup> As described in paragraph 62 of FCCC/AWGLCA/2009/INF.1.

92. As part of the nationally appropriate mitigation actions described in Annex C, each Party included in Annex C shall develop and submit a national action plan, including policies and measures for mitigation, which shall include quantified elements to the extent possible.

93. The Parties included in Annex C that have substantial contribution to the global emissions of GHGs and have appropriate response capabilities shall achieve their respective GHG emission intensity targets as described in Annex C in the commitment period from 2013 to 20XX, with a view to limiting substantially their GHG emission growth.

#### Annex C

|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Party | Nationally appropriate mitigation actions to be taken pursuant to Article 3, paragraph 2 (actions by developing country Parties)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| A     | To develop and submit national action plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| B*    | <p>(1) To develop and submit national action plan</p> <p>(2) To achieve targets as described below:</p> <ul style="list-style-type: none"> <li>(a) Economy-wide GHG emissions or energy consumption per GDP: xx tonnes-CO<sub>2</sub>e/US\$ or millions tons of oil equivalent/US\$</li> <li>(b) GHG emissions per unit and other targets in major sectors <ul style="list-style-type: none"> <li>(i) Iron and Steel: xx kg-CO<sub>2</sub>e/ton-crude steel (distinguished by major steel-making methods)</li> <li>(ii) Cement: xx kg-CO<sub>2</sub>e/ton-cement or MJ/t-clinker</li> <li>(iii) Aluminum : xx kg-CO<sub>2</sub>e/ton-primary aluminum</li> <li>(iv) Power generation: Thermal efficiency of Coal fired powered plant (per cent)/Share of total introduction volume of non-carbon energy (per cent or kw)</li> <li>(v) Other sectors</li> </ul> </li> </ul> |
| C     | To develop and submit national action plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| ...   | ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Note: Parties marked with an asterisk (\*) are the Parties that have substantial contribution to the global emissions of GHGs and have appropriate response capabilities.

#### [Cluster E: Mechanism(s) to register and facilitate implementation of NAMAs and corresponding support]

##### *[What is the mechanism?]*

94. A NAMA register shall be established [as a mechanism][as part of the Financial Mechanisms] to enhance the implementation of the relevant provisions of Articles 4.1, 4.3, 4.5, 4.6, 4.8 and 12.4 of the Convention by facilitating the identification, mobilization [and matching] of support required to implement NAMAs by developing country Parties and enable international recognition and communication of such actions.

95. [A registry for NAMAs by developing country Parties shall be established with the aims of recognizing their actions as part of the global effort to combat climate change and providing a platform for matching those actions, if needed, with measurable, reportable and verifiable support by developed country Parties and other developed Parties included in Annex II to the Convention.]

96. A registry for NAMAs by developing country Parties shall be established with the aims of recognizing the actions as part of the global effort to combat climate change and providing a platform for

[matching] those actions [, if needed, with measurable, reportable and verifiable support by developed country Parties.]

97. [A support and [accreditation] mechanism shall be established with the functions of:

- (a) Registering and pooling all pledges for voluntary mitigation actions by developing countries, [and all pledges for financial support and technology transfer by developed countries;]
- (b) [Providing a platform for matching NAMAs with financial and technology support and with the provision of emission reduction credits for those actions;]

*Alternative to subparagraph (b)* [Establish a link with the financial and technology mechanism designed under the Convention;]

- (c) Providing for measurement, reporting and verification of both actions and the corresponding support;
- (d) Recognizing NAMAs as part of the global effort to combat climate change.]

98. [A coordinating mechanism shall be established with the functions of:

- (a) Providing a technical assessment of the low-emission development strategies of developing countries and the NAMAs contained therein and of the corresponding needs for support identified. It shall assess, in particular, the contribution of a proposed emission pathway to a substantial deviation from business as usual emission projections;
- (b) Matching action to support, in such a way as to maximize cost-efficiency and to strengthen financing for NAMAs, taking into account the capabilities of each country;
- (c) Validating matched action and support.]

99. [A coordinating mechanism is hereby established. The purpose of the coordinating mechanism shall be inter alia, to facilitate:

- (a) Provide technical assessment of propositions of:
  - (i) The low-carbon/emission development strategies, in particular in terms of contribution of the proposed emission pathway to the substantial deviation from business as usual expected from developing countries as a group by 2020;
  - (ii) The proposed NAMAs and of the corresponding needs for support identified.
- (b) Matching of action to support, in such a way as to maximise the cost-efficiency and strengthen financing for actions (i.e. so as to maximize the emission reductions achieved with regard to the support provided);
- (c) Validation of matched action and support.]

100. [[The mechanism(s) for [registering and] facilitating implementation of NAMAs in the context of financial, technology and capacity-building support [should][shall]:]

- (a) [Serve as a functional “window” to mechanism(s) for finance and technology under the Convention;]

- (b) [Allow for confirmation that specific support has been channelled to a specific action. Once this channelling has been confirmed, both support and action [should] become effective within the registry simultaneously;]
- (c) [Not replicate CDM procedures.]

101. A mechanism to register and facilitate the implementation of NAMAs and support for them shall form part of the Financing Mechanism established under the Convention.

*[What is to be registered?]*

102. [Mitigation actions receiving support shall be reported in the registry.]

103. [All developing countries shall be provided with financial and technological support to undertake their actions, and such actions, once supported, may be registered so as to gain international recognition for their contribution to mitigating climate change.]

104. [Developing country Parties will register only those NAMAs for which it wishes to secure international financial and technological support.]

105. [Actions by developing country Parties that [are qualified as NAMAs and] can be registered [comprise][include]:

- (a) Actions of three types: (1) actions that are undertaken by developing country Parties and are not enabled or supported by other Parties [“unilateral NAMAs”]; (2) actions that are supported by a fund and financed by developed country Parties; [and (3) actions that are undertaken to acquire carbon credits.]]
- (b) Only actions that [require support][are supported][and enabled by technology, financing, and capacity-building in MRV manner] by developed country Parties. [There will be a mechanism to register and facilitate implementation of nationally appropriate mitigation actions and corresponding measurable, reportable and verifiable support. Actions are conditional on support.]

106. [NAMAs eligible for registration may include:

- (a) Actions that are supported by developing country Parties;
- (b) Actions for which support is sought;
- (c) Unilateral actions that are undertaken by developing country Parties that do not require support but for which recognition is sought.]

107. [Actions by developing country Parties that qualify as NAMAs and can be registered comprise actions of three types: (1) actions that are undertaken by developing country Parties and are not enabled or supported by other Parties (i.e unilateral NAMAs); (2) actions that are supported by developed country Parties and other developed Parties included in Annex II to the Convention; and (3) actions that are undertaken to acquire carbon credits, such as a listing of projects under the CDM, and other crediting programmes that could be set up in the future. These would be subject to international verification consistent with the guidelines for the CDM.]

108. [Developing country Parties [shall] be invited to register their NAMAs in the registry and implement them so that their actions can be recognized as climate actions at the international level and supported and enabled by technology, financing and capacity-building, in a measurable, reportable and verifiable manner.]

109. [NAMAs and corresponding support that have been approved by the coordinating mechanism shall be inscribed in a register, with a view to recognizing actions undertaken by developing countries with strong measurement, reporting and verification of both national action and support.]

110. [NAMAs and corresponding support that are validated by the coordinating mechanism as part of a low-carbon/emission development strategy shall be inscribed into a register. The register shall contain:

- (a) Actions taken autonomously,
- (b) Actions requiring support,
- (c) Actions to be supported by the carbon market.]

111. [For each validated nationally appropriate mitigation action and its corresponding support, the register shall in particular contain the following information: (to be determined)]

112. [Developing countries may voluntarily choose to register actions which are undertaken with their own resources but for which they are not seeking multi-lateral support. Such actions may be registered for recognition purposes only.]

113. [Developing country Parties [should][could][may on voluntary basis][may] [register][submit] their [ongoing and planned][proposed] NAMAs, in the context of their low-carbon/emission development strategies to the coordinating mechanism, in order to gain international recognition of these actions [and to seek financial, [and] technological and capacity-building support to undertake [further][the proposed] actions.]] Developing country Parties should elaborate further actions for which they seek financial and technological support in their Low Emission Development Strategies.

114. [Developing countries may register their NAMAs on a voluntary basis as elaborated in paragraph 75.1 (of FCCC/AWGLCA/2009/INF.1).]

115. [Developing countries may register their NAMAs with the financial and technology mechanism(s) of the Convention on a voluntary basis.]

116. [Developing country Parties, except LDCs, [shall] [also be invited] to register in the registry and implement [, on a voluntary basis,] their unilateral NAMAs taken without technology, financing and capacity-building support, in accordance with national regulations [, which can be measured, reported and verified in accordance with guidance provided by the COP]].

117. [Developing country Parties [shall] be invited to register their NAMAs in the registry and implement them so that their actions can be recognized at the international level and supported and enabled by technology, financing and capacity-building, in a measurable, reportable and verifiable manner. Developing country Parties [shall] also be invited to register in the registry and implement, on a voluntary basis, their unilateral NAMAs taken without technology, financing and capacity-building support, which can be measured, reported and verified according to guidelines agreed by the COP.]

118. [Developing country Parties may nominate tier one<sup>6</sup>, tier two<sup>7</sup> and or tier three<sup>8</sup> nationally appropriate mitigation actions to be incorporated in an International Register maintained by the secretariat.]

119. NAMAs listed for support in the registry could cover various mitigation activities.

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<sup>6</sup> Actions that are financed domestically, either nationally or subnationally.

<sup>7</sup> Actions that are financed by international financial and/or technical support, either through bilateral support, support from the Multilateral Fund on Climate Change, or other international financial means.

<sup>8</sup> Actions that are undertaken over and above those identified in tier one and tier two actions are based on an emission reduction target and may be eligible for trading of units.

120. [The function of the mechanism(s) [shall][should] include registering:
  - (a) The expected outcome of each NAMA in terms of its sustainable development benefits and co-benefits and the GHG emission reductions
  - (b) Nationally appropriate mitigation actions by developing countries
  - (c) The mitigation result which may be emission baselines specific to projects and programmes;
  - (d) An estimate of the full incremental cost of each NAMA, including for technology transfer and capacity-building;
  - (e) Information on the sustainable development benefits.]
121. Developed countries Parties should register their financial, technological and capacity-building support in order to fulfil their obligation under the Convention.
122. [[Support provided through the registry should not be channeled [solely] to actions that achieve direct emission reductions.] Support [should] be differentiated between different kinds of actions.]
123. [Support by developed countries that can be registered comprise only support that is delivered through a technology and financing mechanism under the Convention.]
124. [The function of the mechanism(s) [shall][should] include registering:
  - (a) [The expected outcome of each NAMA in terms of its sustainable development benefits and co-benefits and mitigation benefit that including direct and indirect benefits the GHG emission [reductions]][limitation]]
    - (i) [In relation to the emission baselines or business as usual path [, including at a national or sectoral level]][for several time horizons, for example 2020, 2030 and 2050];]
    - (ii) [Directly, not based on the definition of a baseline or other intermediate outcomes which can be used to show the mitigation benefit of NAMAs when appropriate baseline methodologies are not available;]
  - (b) Mitigation actions receiving support shall be reported in the registry;
  - (c) Developed countries shall report on the measurement of support in their national communications under Article 12.3 and support shall be updated in the registry on an annual basis;
  - (d) An estimate of the full [incremental cost] of each NAMA, including for technology transfer and capacity-building;
  - (e) Information relating to implementation of each NAMA, including information on support received and the time frame for implementation;
  - (f) [Any proposed use of a carbon market mechanism, and the associated caps and thresholds.][Support by developed countries in terms of technology, finance and capacity-building].
125. [Information provided in connection with NAMA registration shall include:
  - (a) The expected outcome in terms of quantifiable emission reductions in tons of CO<sub>2</sub>-eq;

- (b) The contribution of the reductions to the country's achievement of significant deviation from a 'business as usual' emission trajectory in accordance with the country's low-emission development programme;
- (c) A timeframe for implementation;
- (d) The estimated cost.]

*[How does the mechanism function?]*

126. [[[Matching action to] support shall be undertaken in such a way as to maximize cost-efficiency and strengthen [financing][the provision of financing, technology and capacity-building] for actions. [The establishment of mechanisms for [matching] support and actions [should][shall] take into account the need to ensure environmental integrity of NAMAs and aim at achieving cost-efficient emission reductions.]] The support [should][shall] be based on the needs identified by developing country Parties to enhance implementation of their NAMAs.]

127. [The provision of financial resources and technological transfer for matching action to support shall be undertaken in such a way as to maximize cost-efficiency and strengthen financing for actions. To this end, the financial and technology transfer mechanisms under the convention will play a lead role. Taking into account the need to ensure environmental integrity of NAMAs and aim at achieving cost-efficient emission reductions. The support [should] be based on the needs identified by developing country Parties to enhance implementation of their NAMAs.]

128. [The secretariat shall open and maintain the register of NAMAs. The register shall initially contain a list of: indicative [proposed] mitigation being implemented or being proposed actions [; information related to the assumptions and [methodology][activities] underpinning the proposed actions; the emissions that would be avoided as a result of the actions (relative to a GHG emission baseline)]; the sustainable development benefits identified by the developing country;] and the support that would be required for the proposed methodology and actions. [This information shall be assessed by a technical panel composed of representatives of Parties mainly from developing countries, including representatives from LDCs established under the Convention. Once the technical panel has reported to the Party that the support and action [and support] have been established in line with agreed approach, additional financial support shall be given to that particular Party's an incentive for the continuation and sustainability of such [good practice,]. [A][a] request to the financial and technology mechanism(s) of the Convention, which shall be responsible for matching support to actions, shall be triggered in this regard.] [Support should match actions to be undertaken during the whole process].]

129. [The register shall be updated [annually] to reflect the status of implementation of action and its support. Following the first measurable, reportable and verifiable report, the NAMA shall be considered registered (and no longer indicative).]

130. [Reporting on the status of implementation to the registry shall be annual with an update based on measured outcomes every two years, alternating with reporting on GHG inventories.]

131. [The modalities for the operation of the International Register shall be developed by the Conference of the Parties serving as the assembly of Parties.]

132. The Meeting of the Parties under this Agreement shall, at its first session, elaborate further modalities and procedures for the coordinating mechanism and the register.

133. Governance of the coordinating mechanism, including possible supporting technical bodies: (text to be developed)]

134. [Once a NAMA is registered and approved by a technical panel, the provision of financial resources and technology transfer shall become automatic.]

135. [Once a NAMA is registered and approved by a technical panel, the provision of financial resources and technology transfer shall become automatic.]

136. [The support and [accreditation] mechanism shall facilitate the implementation of NAMAs through:

- (a) “The support path”, involving direct financial and technological support by developed countries, channelled through the financial and technology mechanism(s) of the Convention;
- (b) [“The accreditation path”, involving provision of emission reduction credits for NAMAs.]]

137. [Developing countries may choose one or [both] of the above “paths” to implement NAMAs.]

138. [Developing country Parties shall decide when the level of support from [both] sources mentioned in paragraph 136 above is sufficient for the implementation of a proposed NAMA. They retain the right to delay implementation of the proposed NAMA if they consider the level of support insufficient.]

139. [A mechanism or mechanisms to [register and facilitate the implementation of NAMAs][review low-carbon development strategies] and support for them (as referred to in paras. 77–82 of FCCC/AWGLCA/2009/INF.1) [should][shall] be established at the UNFCCC secretariat under the authority of the COP, supported by:]

- (a) [[A technical panel] established under the Convention to assess both the assumptions and methodology underpinning proposed [NAMAs][LCSs] [and the support required for the actions];]
- (b) [[A new body established under the COP] that will manage the measurement, reporting and verification of NAMAs and their corresponding technology, finance, and capacity-building support.]

140. [The mechanism shall be established at the secretariat under the authority of the COP and shall be supported by:

- (a) A technical panel established under the Convention to assess both the assumptions and methodology underpinning NAMAs and the support that those actions require;
- (b) A new body established under the COP that will conduct the verification of NAMAs and their corresponding technology, finance and capacity-building support.]

[Cluster F: Measurement, reporting and verification]

*[What should be measured, reported and verified?]*

141. NAMAs and support for NAMAs [shall] be undertaken in a measurable, reportable and verifiable manner.

142. [Both the mitigation actions and the support shall be measurable, reportable and verifiable.]

143. [After implementation, both the action and the support shall be measured, reported and verified.]



144. Agree that measurable, reportable and verifiable mitigation actions by developing country Parties are only those enabled by measurable, reportable and verifiable support;

145. Only NAMAs that are supported are measured, reported and verified.

146. Only NAMAs that are supported are measured, reported and verified.

147. Measurement, reporting and verification of NAMAs and their desired outcomes shall apply only in such cases where, and to the extent that, they are enabled and supported in terms of finance and technology by Annex I Parties through an agreed financing mechanism.

148. Guidelines for such measurement, reporting and verification shall be established and approved by the COP.

149. [Measurement and reporting of NAMAs and their achieved outcomes (including those in paragraph 82 (a) of FCCC/AWGLCA/20009/INF.1):

- (a) Shall be applicable only to the mitigation actions that are enabled by technology and finance per se.]
- (b) [Shall cover both national low-emission strategies and NAMAs undertaken in the context of those strategies.]
- (c) [Shall cover the content of Parties' national schedules, including [both national low-emission] nationally appropriate mitigation strategies, long-term national GHG emission limitation or reduction pathways, and NAMAs undertaken in the context of those strategies]
- (d) [Shall cover the intensity targets or national action plans and NAMAs undertaken in the context of achieving those targets or plans]

150. [Each developing country Party shall [in addition] submit [its national GHG emissions inventories of anthropogenic emissions by sources and removals by sinks of all gases not controlled by the Montreal Protocol containing] information on] (see para. 151 (a–c) below).

151. [In addition, each developing country Party shall submit supplemental information for nationally appropriate mitigation actions by developing countries using the reporting template adopted by the [supreme body to this instrument] and contained in the appendix (*see reporting template below*). This shall contain information on, inter alia,]

- (a) [How implementation of NAMAs affects GHG trajectories at a national and/or sectoral level or the national baseline.]
- (b) [The low-emission development strategy of the country in the context of its broader sustainable development strategy and GHG emission pathway.]
- (c) [For [[major] developing countries]: quantification of actions and quantified energy intensity targets, as well as mitigation policies and measures designed to implement them (especially in major sectors) [, based on the requirements which are the same as for developed country Parties].]

152. Mitigation actions implemented by developing countries with their own resources could be reported in national communications, thereby enhancing the implementation of Article 12.1 of the Convention.

153. [Mitigation actions implemented by developing countries with their own resources shall be reported in national communications, enhancing the implementation of Article 12.1 of the Convention.]

154. [Unilateral NAMAs [and national plans that are undertaken by developing country Parties and are not enabled or supported by other Parties] may be reported through national communications.]

*[What and how to measure and report nationally appropriate mitigation actions by developing countries?]*

155. [NAMAs and their achieved outcomes shall be:

- (a) Monitored at a national level according to guidelines to be decided by the Meeting of the Parties to this Agreement at its first session, building on, inter alia, existing IPCC guidance;
- (b) Reported to the Convention according to reporting guidelines to be decided by the Meeting of the Parties to this Agreement at its first session, taking into account the principles of transparency, accuracy, consistency, comparability and completeness, and address, inter alia, achieved emission reductions, as well as their effectiveness in relation to the low-carbon/emission development strategies.]

156. [Each Party with GHG emission intensity targets shall have in place a national system for the estimation of anthropogenic emissions by sources and removals by sinks of all GHGs not controlled by the Montreal Protocol. Guidelines for the national systems shall be elaborated.]

157. [The Parties shall report on nationally appropriate mitigation actions in an agreed format that indicates the impact of these measures on national emissions inventories.]

158. Emission reductions achieved by non-Annex I Parties that are below measured, reported and verified baselines shall be recognized.

[REPORTING TEMPLATE]

| Party   | National Circumstances                                           | Date of latest reported National GHG Inventory and Date of inventory review | Sector               | Agreed projected business as usual emissions/removals | Nationally Appropriate Mitigation Actions                                                                                    | Expected emission reduction or limitation <sup>a</sup> | Emission budget   |
|---------|------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------|
| Party A | GDP per capita<br>GHG per capita<br>Mitigation potential<br>Etc. |                                                                             | Stationary Energy    | XMT                                                   | List NAMAS according to:<br>③ Quantified targets<br>③ Price based measures<br>③ Regulations<br>③ Other policies and measures | YMT                                                    | XMT – (YMT + ZMT) |
|         |                                                                  |                                                                             |                      |                                                       |                                                                                                                              | ZMT                                                    |                   |
|         |                                                                  |                                                                             | Mobile Energy        |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | Agriculture          |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | LULUCF               |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | Industrial Processes |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | Solvents             |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | Waste                |                                                       |                                                                                                                              |                                                        |                   |
|         |                                                                  |                                                                             | Multiple sectors     |                                                       |                                                                                                                              |                                                        |                   |
| TOTAL   |                                                                  |                                                                             |                      | TOTAL Business As Usual Projection                    |                                                                                                                              | UGT                                                    | TOTAL BUDGET      |

<sup>a</sup> Relative to BAU over the sector and expected to be achieved by undertaking listed NAMAs.

159. [Measurement and reporting shall be undertaken under the guidance of the COP [following internationally agreed guidelines that build on, inter alia, existing IPCC guidance] and involve regional centres and national expert [in accordance with national measuring and reporting procedures and practices] [and taking into account countries' national circumstances].]

160. Actions undertaken under tier two<sup>9</sup> shall be subject to appropriate reporting and accounting standards as determined by the Board of the Multilateral Fund on Climate Change and approved by Conference of Parties serving as the assembly of Parties.

*[When to submit national GHG inventories?]*

161. [In complying with their obligations under Article 12, paragraph 1, of the Convention, all developing country Parties shall submit an annual national inventory of anthropogenic emissions by sources and removals by sinks of GHGs not controlled by the Montreal Protocol.]

162. [[National inventories of developing country Parties shall be submitted [[regularly, on a more frequent basis than is current practice under the Convention [every two years]] [annually, starting as soon as possible and not later than 2011].]] [provided sufficient financial support by developed country Parties] For LDCs submissions shall be at their discretion based on the provision of resources and national capacities.]

163. [National inventories of developing country Parties shall be submitted regularly, and on a more frequent basis. This enhanced reporting shall start as soon as possible. In accordance with Article 4.3 of the Convention, developed country Parties and other developed Parties included in Annex II to the Convention shall provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties, particularly the LDCs and SIDS, in meeting the requirements of this paragraph.]

164. [Developing country Parties shall provide annual inventories as soon as possible and not later than 2011, at least for the key emitting categories, facilitated by comprehensive capacity-building and technical and financial support. These inventories shall include a national inventory report with the estimation methodologies used and shall be subject to international review by expert review teams building on existing independent review processes for Annex I Parties inventories. The Meeting of the Parties to this Agreement shall, at its first session, decide on reporting and review guidelines to be used for national GHG inventories of developing countries under this Article.]

165. [Non-Annex I Parties with emissions representing in excess of [X] per cent of global emissions in [ XXXX ] shall report every two years, with the first report to be presented no later than [ date ]. LDCs and small island developing States shall be exempt from this requirement but may report at their discretion or through the national communication process.]

*[Who will, and how to, verify nationally appropriate mitigation actions of developing countries?]*

166. [Achievement of intensity targets by major developing country Parties shall be reviewed by expert review teams.]

167. [[Unilateral NAMAs][Nationally appropriate mitigation actions][under the national action plan] by developing country Parties:]

(a) [[Shall][Should] be verified by national entities in accordance with internationally agreed guidelines.]

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<sup>9</sup> Actions that are financed by international financial and/or technical support, either through bilateral support, support from the Multilateral Fund on Climate Change, or other international financial means.

- (b) [Should not be subject to verification.]
- (c) [Shall be reviewed by the Conference of the Parties serving as the meeting of the Parties to a new Protocol.]
- (d) Shall be subject to international verification according to modalities, procedures and guidelines to be established under the authority of the COP. This verification should include international auditing (e.g. by international expert teams).

168. [Unilateral NAMAs by developing country Parties [shall][should] be verified by national entities in accordance with internationally agreed guidelines. In addition, the methodologies of the national verification process should be open to international auditing. If necessary, and subject to agreement by the developing country Party undertaking the NAMA, the domestic verification can also be confirmed by an international verification process, with due respect for the protection of confidential information.]

169. [Actions that are implemented with international support [and do not result in transfer of carbon credits][and their outcome in terms of emission reductions] [shall] be subject to [international] verification [from the third Party] together with the support as measured and reported, according to modalities, procedures and guidelines to be established under the authority of the COP. [This verification [shall][should] include international auditing (e.g. by international expert teams)][This verification should be conducted by national entities in accordance with internationally agreed guidelines].]

170. [NAMAs that are financed through the carbon market and with market finance [shall] be verified, together with the corresponding support as measured and [reported, by institutions accredited by the COP and][reported by national level institutions] according to the [same multilaterally] agreed guidelines.]

171. [NAMAs that are financed through the [flexible][carbon market] mechanisms and their outcome in terms of emission reductions [shall] be verified, together with the corresponding support as measured and reported, by institutions recognized by the meeting of the Parties under the Copenhagen Agreement using and building upon existing international guidelines for these mechanisms.]

172. [NAMAs and their achieved outcomes shall be verified under the auspices of the Convention according to agreed guidelines decided by the Meeting of the Parties to this Agreement at its first session.]

173. [Measurement and reporting of NAMAs, in accordance with the established guidelines, shall be undertaken by the host country, while the desired outcomes of NAMAs shall be verified jointly by the Financing Mechanism established under the Convention and the host country.]

*[How to measure, report and verify support provided for nationally appropriate mitigation actions by developing countries?]*

174. [An international institutional framework [[shall][should]] be [established] [needed] for measurement, reporting and verification of GHG emission reductions and support provided by developed country Parties and to provide systematic support for Parties' preparation of low-emission strategies and national inventories for emissions and removals.]

175. [Developed country Parties shall measure [(where measurable)][and], report and have support verified in accordance with international guidelines that is provided for NAMAs and [registered under the mechanism(s) referred to in paragraphs 77–82 of FCCC/AWGLCA/2009/INF.1], including the following:

- (a) [Allocation and transfer of finance for means of implementation [granted [over and above ODA], in units of an agreed common currency];]
- (b) Technology transfer, including development, deployment, application and diffusion[, in units established by the COP];
- (c) The agreed full incremental costs of technology transferred to developing country Parties [in units of an agreed common currency];
- (d) Support for capacity-building according to indicators [and in units] established by the COP.]

176. [Parties shall measure and report support that is provided for NAMAs.]

177. [Developed country Parties shall report on the measurement of support in their national communications under Article 12.3 of the Convention. Information on the support provided shall be updated and verified [annually]. [The measurement and reporting of support [shall] be based on new methodologies for assessing support.]]

178. [Parties shall regularly report on the support provided.]

179. [Developed country Parties shall report on the measurement of financial resources, transfer of technology and other actions in their national communications under Article 12.3 of the Convention. Information on actions to fulfil commitments on financial resources, transfer of technology and other actions under the Convention shall be updated annually. The measurement and reporting of these actions [shall] be based on new methodologies for assessing their adequacy, predictability and effectiveness.]

180. [[The support shall be verified under [an international][a national] register] in terms of contributions by developed [and developing] countries within their responsibilities and respective capacities.]

181. [The support shall be verified within the existing in-depth review of national communications from Annex-I country Parties.]

182. [The support shall be verified using international guidelines and be reported in an international register under the Convention.]

183. [The provision of financial resources, transfer of technologies and other actions shall be verified by the Verification Group of the finance and technology mechanism(s) of the Convention in terms of contributions by developed [and developing] countries within their respective capacities.]

184. [Financial resources from Annex I Parties shall be measured, reported and verified when provided to the Financial Mechanism. Technology transfer and capacity-building shall be measured, reported and verified during the course, and following completion, of the associated NAMA.]

185. Developed countries shall report on the measurement of support in their national communications under Article 12.3 and support shall be updated in the registry on an annual basis.

[Cluster G: National schedules]

186. The minimum expectations with regard to the commitments and actions Parties would register in their national schedules would be for developing country Parties whose national circumstances reflect greater responsibility or capability, nationally appropriate mitigation commitments and/or actions aimed at achieving substantial deviation from baselines.

187. [NAMAs by developing country Parties [shall][should] be incorporated in national schedules. Each [developing country] Party [shall][should] establish, regularly update and implement the contents of

national schedules, which [shall] include long-term national GHG limitation or reduction pathways, quantified emission limitation and reduction commitments [for 2020, and the measurable, reportable and verifiable mitigation policies and measures designed to meet those commitments, subject to regular review by the COP]. [Schedules should identify where specific mitigation actions were made possible through previously agreed international support] [Schedules for LDCs should include a description of intended actions, including those that might benefit from additional international support.][LDCs are invited to establish a national schedule for the commitment period [20XX] to [20XX] at their discretion.]]

[Cluster H: New Sub-section for Measurement, Reporting and Verification]

*Proposed new subsection for Measurement, Reporting and Verification:*

*Methodological issues*

188. Each Party included in Annex I shall have in place, no later than one year prior to the start of the commitment period, a national system for the estimation of anthropogenic emissions by sources and removals by sinks of all GHGs not controlled by the Montreal Protocol. Guidelines for the national systems, which shall incorporate the methodologies specified in paragraph 190 below, shall be decided upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol prior to the start of the commitment period.

189. Each Party that has its GHG emission intensity targets inscribed in Annex C shall have in place, no later than one year prior to the start of the commitment period, a national system for the estimation of anthropogenic emissions by sources and removals by sinks of all GHGs not controlled by the Montreal Protocol. Guidelines for the national systems, which shall incorporate to the extent possible the methodologies specified in paragraph 190 below, shall be decided upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol prior to the start of the commitment period.

190. Methodologies for estimating anthropogenic emissions by sources and removals by sinks of all GHGs not controlled by the Montreal Protocol shall be those accepted by the Intergovernmental Panel on Climate Change and agreed upon by the Conference of the Parties at its third session. Where such methodologies are not used, appropriate adjustments shall be applied according to methodologies agreed upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol at its first session. Based on the work of, inter alia, the Intergovernmental Panel on Climate Change and advice provided by the Subsidiary Body for Scientific and Technological Advice, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall regularly review and, as appropriate, revise such methodologies and adjustments, taking fully into account any relevant decisions by the Conference of the Parties. Any revision to methodologies or adjustments shall be used only for the purposes of ascertaining compliance with commitments in respect of any commitment period adopted subsequent to that revision.

191. The global warming potentials used to calculate the carbon dioxide equivalence of anthropogenic emissions by sources and removals by sinks of GHGs listed in Annex A shall be those accepted by the Intergovernmental Panel on Climate Change and decided upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol prior to the start of the commitment period. Based on the work of, inter alia, the Intergovernmental Panel on Climate Change and advice provided by the Subsidiary Body for Scientific and Technological Advice, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall regularly review and, as appropriate, revise the global warming potential of each such GHG, taking fully into account any relevant decisions by the Conference of the Parties. Any revision to a global warming potential shall apply only to commitments in respect of any commitment period adopted subsequent to that revision.

*Inventory and information*

192. Each Party included in Annex I to the Convention shall incorporate in its annual inventory of anthropogenic emissions by sources and removals by sinks of GHGs not controlled by the Montreal Protocol, submitted in accordance with the relevant decisions of the Conference of the Parties, the necessary supplementary information, including sectoral information, for the purposes of ensuring compliance with Article 3, paragraph 1 (commitments by developed country Parties).

193. Each Party included in Annex I shall incorporate in its national communication, submitted under Article 12 of the Convention, the supplementary information necessary to demonstrate compliance with its commitments under this Protocol.

194. Each Party included in Annex I shall submit the information required under paragraph 192 above annually, beginning with the first inventory due under the Convention for the first year of the commitment period after this Protocol has entered into force for that Party. Each such Party shall submit the information required under paragraph 193 above as part of the first national communication due under the Convention after this Protocol has entered into force for that Party and after the adoption of guidelines as provided for in paragraph 195 below. The frequency of subsequent submission of information required under paragraph 193 above shall be determined by the Conference of the Parties serving as the meeting of the Parties to this Protocol, taking into account any timetable for the submission of national communications decided upon by the Conference of the Parties.

195. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for the preparation of the information required under paragraphs 192 and 193 above, taking into account guidelines for the preparation of national communications by Parties included in Annex I adopted by the Conference of the Parties. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall also, prior to the start of the commitment period, decide upon modalities for the accounting of assigned amounts.

196. Each Party that has its GHG emission intensity targets inscribed in Annex C shall incorporate in its annual inventory of anthropogenic emissions by sources and removals by sinks of GHGs not controlled by the Montreal Protocol, the necessary supplementary information, including sectoral information, for the purposes of ensuring compliance with Article 3, paragraph 2 (actions by developing country Parties).

197. Each Party that has its GHG emission intensity targets inscribed in Annex C shall incorporate in its national communication, submitted under Article 12 of the Convention, the supplementary information with respect to the implementation of Article 3, paragraph 2 (actions by developing country Parties).

198. Each Party that has its GHG emission intensity targets inscribed in Annex C shall submit the information required under paragraph 196 above annually. Each such Party shall submit the information required under paragraph 197 above as part of the first national communication due under the Convention after this Protocol has entered into force for that Party and after the adoption of guidelines as provided for in paragraph 199 below.

199. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for the preparation of the information required under paragraphs 192 and 193 above. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall also, prior to the start of the commitment period, decide upon modalities for the measurement of intensity targets.

*Review of information*

200. The information submitted by each Party included in Annex I shall be reviewed by expert review teams pursuant to the relevant decisions of the Conference of the Parties and in accordance with guidelines adopted for this purpose by the Conference of the Parties serving as the meeting of the Parties to this Protocol under paragraph 201 below. The information required under Article 5, paragraph 1 (inventory and information), shall be reviewed as part of the annual compilation and accounting of emission inventories and assigned amounts. Additionally, the information required under Article 5, paragraph 2 (inventory and information), shall be reviewed as part of the review of communications.

201. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for the review of implementation of the commitments by Parties included in Annex I by expert review teams taking into account the relevant decisions of the Conference of the Parties.

202. The information submitted under Article 5, paragraph 7 (inventory and information), by each Party that has its GHG emission intensity targets inscribed in Annex C shall be reviewed by expert review teams. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for this review.

203. Expert review teams referred to in paragraphs 200–202 above shall be coordinated by the secretariat and shall be composed of experts selected from those nominated by Parties to the Convention and, as appropriate, by intergovernmental organizations, in accordance with guidance provided for this purpose by the Conference of the Parties.

204. The review process shall provide a thorough and comprehensive technical assessment of all aspects of the implementation by a Party of this Protocol. The expert review teams shall prepare a report to the Conference of the Parties serving as the meeting of the Parties to this Protocol, assessing the implementation of the commitments of the Party and identifying any potential problems in, and factors influencing, the fulfilment of commitments. Such reports shall be circulated by the secretariat to all Parties to the Convention. The secretariat shall list those questions of implementation indicated in such reports for further consideration by the Conference of the Parties serving as the meeting of the Parties to this Protocol.

205. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, with the assistance of the Subsidiary Body for Implementation and, as appropriate, the Subsidiary Body for Scientific and Technological Advice, consider:

- (a) The information submitted by Parties under Article 5 (inventory and information) and the reports of the expert reviews; and
- (b) Those questions of implementation listed by the secretariat, as well as any questions raised by Parties.

206. Pursuant to its consideration of the information referred to in paragraph 192 above, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take decisions on any matter required for the implementation of this Protocol.

207. The national action plan submitted under Article 3, paragraph 2 (actions by developing country Parties), by each Party included in Annex C shall be reviewed by the Conference of the Parties serving as the meeting of the Parties to this Protocol. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for such review.



*Proposed new subsection on review mechanisms:*

208. The Parties shall undertake reviews of this agreement, including the consideration of commitments of the Parties for subsequent periods, in the light of the best available scientific information and assessments on climate change and its impacts, as well as relevant technical, social and economic information, bearing in mind changes in Parties' circumstances. The first review shall take place at least five years before the end of 20XX, and further reviews shall take place at regular intervals and in a timely manner. Based on these reviews, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take appropriate action, which may include the adoption of amendment to the Annex B and C.

209. The Parties shall, at its first session or as soon as practicable thereafter, identify elements, including the economic development stages, response capabilities and shares of GHG emissions in the world, to be considered as criteria for changes of circumstances of the Parties.

*Proposed new subsection on compliance:*

210. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session, approve appropriate and effective procedures and mechanisms to determine and to address cases of non-compliance with the provisions of this Protocol, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance. Any procedures and mechanisms under this Article entailing binding consequences shall be adopted by means of an amendment to this Protocol.

Annex III C**Enhanced action on mitigation****Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries**

This annex contains text from subsection 1 (paras. 106–112), subsection 2 (para. 113) and subsection 3 (paras. 115–121) of chapter III, section C, on pages 110–129 of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as consolidated by the facilitator and Parties of the informal sub-group on paragraph 1 (b) (iii) of the Bali Action Plan which met at the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009. The approach to the consolidation of the text emerged out of the informal exchange among Parties and was presented by the facilitator to the meetings of the sub-group.

The paragraph numbering from document FCCC/AWGLCA/2009/INF.1 has been retained in this annex to keep consistent the references to paragraphs which have not been considered. Other subsections and paragraphs that were not discussed by Parties and were not consolidated are shown in boxes throughout this text with reference to the original paragraphs in document FCCC/AWGLCA/2009/INF.1.

Paragraphs can be traced to their origin by using the explanatory table contained in annex III C to document FCCC/AWGLCA/2009/INF.2/Add.1.

Structural proposals: (original text from document FCCC/AWGLCA/2009/INF.1)

1) Subsections 3 (MRV of actions) and 4 (MRV of support) should be merged into one single subsection titled “MRV of actions and support”.

2) The financial arrangements to support REDD-plus actions should be included as part of the broader financial framework proposed to support NAMAs in developing countries (paras. 115 and 122 to be incorporated in chapter IV on finance).

3) Move paragraph 110 under “Means of implementation”.

4) Para. 121 duplicates paragraphs 94–96, delete paragraph 121 from section C.

Paras. 122–124 duplicate paragraphs 98–101, delete paragraphs 122–124 from section C.

Move paragraphs 125–126 to chapter IV A on finance.

Move paragraph 127 to “Mitigation by developing countries, Institutional arrangements”.

Other structural proposals that are within the text of section C: (original text from document FCCC/AWGLCA/2009/INF.1)

5) Move paragraphs 111 and 112 to chapter III B, subsection 3 on measurement, reporting and verification of supported actions.

6) Move paragraphs 113 and 114 to chapter IV A on finance.

7) Move paragraphs 115–118 to chapter III B, subsection 3, on measurement, reporting and verification of supported actions.

Proposals for additional paragraphs. (original text from document FCCC/AWGLCA/2009/INF.1)

# 1. Objectives, scope and guiding principles

|            |                                             |
|------------|---------------------------------------------|
| x.1 to x.3 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------------|---------------------------------------------|

## *Objectives and scope*

106. Developing country Parties contribute to enhanced mitigation actions in the [forestry sector] [land use, land-use change and forestry sector] [agriculture, forestry and land use sector] by reducing emissions from deforestation and forest degradation, [maintaining existing carbon stocks and] [enhancing removals] [or increase in forest cover due to afforestation and reforestation], [while promoting][enhancement of carbon stocks due to [sustainable forest [and land] management] [sustainable management of forest]] [stabilization of forest cover (and thereby forest carbon stocks), conservation and maintenance of forest carbon stocks due to sustainable management of forests, reduction in deforestation rates, reduction in forest degradation, enhancement of forest carbon stocks due to conservation and sustainable management of forests, and/or increase in forest cover due to afforestation and reforestation] [increasing forest cover due to afforestation and reforestation, maintaining and enhancing forest carbon stock by forest conservation, incremental change of forest cover, sustainable management of forest, reducing deforestation, and reducing forest degradation].

[106.1 The REDD-plus mechanism shall be effective, results-based, flexible, dynamic and incentive-driven. To achieve this, the mechanism shall be implemented in successive, gradually intensifying phases, beginning with national REDD-plus strategy development and core capacity-building (phase 1), followed by the implementation of national REDD-plus policies and measures in combination with compensation for proxy-based results for emission reductions and removals from selected forest activities and land use and land-use change categories (phase 2), and finally evolving into a results-based compensation mechanism for fully measured, reported and verified emission reductions and removals from the whole forestry sector and other selected land use and land-use change sectors (phase 3).]

## *Principles*

107. REDD-plus [actions] [strategies and action plans][policy approaches and positive incentives] [should] [shall]:

- (a) [Contribute to the objective in Article 2 of the Convention;]
- (b) [Be country-driven and voluntary;]
- (c) [Be integrated into NAMAs],
- (d) [Be undertaken in accordance with countries' capabilities and national circumstances]
- (e) [Be subjected to adequate, predictable and sustainable financing and technology support for these actions][insure equitable access to financial and technological support for these actions]
- (f) [Facilitate sustainable development, reduce poverty and respond to climate change in developing countries, rather than a way to help developed countries to fulfill its commitment of emission reduction].

108. [Broad country participation] [Maximize participation of developing countries], [sustainable forest management] [sustainable management of forests], [improved forest governance,] permanence and [co-benefits] [social and environmental benefits] such as biodiversity [conservation] [and other ecosystem services] should be promoted, and [domestic] leakage should be [avoided] [reduced as much as possible]. [Safeguards to protect biological diversity in host countries, including safeguards against the conversion of natural forests to forest plantations, should be established. REDD-plus actions should

complement the aims and objectives of national forest programmes and relevant international conventions and agreements.

109. Indigenous peoples and local communities [should] [shall] be [effective] involved in [the design, development and] implementation of REDD-plus actions and their rights [should be] respected, [including full prior and informed consent,] consistent with the provisions established under the respective national legislation or, in its absence, [in accordance with the United Nations Declaration on the Rights of Indigenous Peoples] [consistent with relevant international instruments and obligations]. [The COP (or the Conference of Parties serving as the assembly of the Parties) shall, in consultation with appropriate indigenous peoples' and local community organisations, develop guidelines to ensure that the rights of indigenous peoples and local communities are not adversely affected by actions to reduce emissions from deforestation and forest degradation.]

110. Developing country Parties aiming to implement REDD-plus actions [shall] [should]:

- (a) Develop REDD-plus national [implementation plans] [action plans] [strategies] [or subnational strategies and, where applicable, subnational actions], [as part of their low-carbon/emission strategies,] covering different phases of implementation when appropriate (i.e. a readiness phase, a policy implementation and demonstration activities phase, and full implementation) [and in accordance with national circumstances];
- (b) Designate a national authority for [coordinating, registering, supporting, approving and] implementing REDD-plus actions, [according to relevant national legislative and policy frameworks] [and ensuring the full and effective participation of all relevant stakeholders, including in particular indigenous peoples, local communities and women, in all the different phases of implementation of REDD-plus actions];
- (c) Establish [national] reference emission levels and/or [national] reference levels in accordance with their national circumstances [and respective capabilities], which can be [independently] reviewed and adjusted over time, and submit them to [the Conference of the Parties] [the future REDD coordinating mechanism under the UNFCCC] [and be adopted by the Meeting of the Parties to this Agreement].

111. Option 1

Robust and transparent national monitoring, reporting and accounting for emissions and removals in the forest sector [shall] [should] be established, [in accordance with national circumstances and capabilities,] with the establishment of subnational accounting as an optional interim measure [and as part of the national system] [for demonstration activities]. Each developing country Party should develop a unique emissions [and removals] accounting and monitoring system for its forestry sector which includes all subnational activities [, with adequate, predictable and sustainable financial and technical support from developed countries].

112. Option 2

National [and/] or subnational accounting of emission reductions from deforestation may be accounted for at either national or subnational level, as decided by each Party. [REDD-plus activities implemented at the subnational level shall address and account for leakage in a comprehensive and conservative way.]

#### Addition

112.1. Developing country Parties that undertake nationally appropriate mitigation actions to reduce emissions from deforestation and forest degradation shall ensure that:

- (a) Necessary actions are taken to avoid national and international emissions displacement;

- (b) Such actions are permanent and do not result in an increase in emissions from deforestation and forest degradation at a later time;
- (c) Appropriate governance structures are put in place to facilitate the appropriate use of funds provided for reducing emissions from deforestation and forest degradation;
- (d) Appropriate consultative mechanisms and domestic legislative arrangements are put in place to avoid infringement of indigenous peoples and local community rights.
- (e) Land tenure systems are recognized;
- (f) Actions are consistent with the conservation of biological diversity.

112.2. Developed country Parties shall undertake policies and measures to ensure that the import of forest products and other commodities from developing country Parties does not contribute to emissions from deforestation and forest degradation.

112.3. All Parties shall undertake policies and measures to ensure that actions undertaken by persons with legal personality of their countries do not contribute to international emissions displacement in forests of developing countries.

112.4. Developing country Parties that wish to undertake tier 2 nationally appropriate mitigation actions associated with reducing emissions from deforestation and forest degradation shall be guided by good practice guidance developed by the Intergovernmental Panel on Climate Change and any relevant decisions of the Conference of the Parties serving as the assembly of the Parties.

112.5. Tier 3 nationally appropriate mitigation actions shall not apply with respect to reducing emissions from deforestation and forest degradation and hence nationally appropriate mitigation actions for reducing emissions from deforestation and forest degradation shall not be eligible for emissions trading.

*Proposals that can be taken as alternatives or additions to the paragraphs above*

*Alternative / Addition 1: (refer to paragraphs 106.5 to 106.7 in FCCC/AWGLCA/2009/INF.1)*

Recognizing the urgent need to take further meaningful action to reduce emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable forest management and enhancement of forest carbon stocks, all Parties shall support or undertake such action as appropriate to national circumstances and capabilities.

Within the context of nationally appropriate mitigation actions for developing countries, a framework for voluntary actions to reduce anthropogenic emissions by sources and increase removals by sinks in the forestry sector (hereinafter referred to as the REDD-plus mechanism) is hereby defined.

The purpose of the REDD-plus mechanism is to assist developing country Parties in:

- (a) Contributing to the objective in Article 2 of the Convention;
- (b) Enhancing efforts to achieve sustainable development goals through their nationally appropriate mitigation strategies;
- (c) Meeting their commitments under the Convention and related international agreements;
- (d) Conserving biological diversity and combating desertification;
- (e) Developing comprehensive land-use inventories and monitoring frameworks; and

- (f) Achieving sustainable land management.

*Alternative 2: (refer to alternative of paragraph 107 in FCCC/AWGLCA/2009/INF.1):*

A mechanism to reduce emissions from deforestation and forest degradation [and other forest-related activities] in developing country Parties is hereby defined.

The purpose of the mechanism shall be to assist developing country Parties to maintain [and enhance] forest carbon stocks while promoting their sustainable development; and to assist all Parties in contributing to the ultimate objective of the Convention by reducing emissions from deforestation and forest degradation [and by enhancing removals through other forest-related activities], and in meeting their commitments under the Convention and any of its related legal instruments.

Emission reductions [and enhanced removals] resulting from activities under this mechanism shall be certified by operational entities to be designated by the [supreme body of this agreement], on the basis of:

- (a) Voluntary participation approved by each Party involved;
- (b) Real, measurable and long-term benefits related to the mitigation of climate change; and
- (c) Reductions in emissions [or enhancements of removals] that are additional to any that would occur in the absence of the mechanism.

*Alternative 3: (refer to alternative 2 to paragraph 110 in FCCC/AWGLCA/2009/INF.1)*

REDD-plus actions will be implemented through the forest carbon mechanism according to the principles of effectiveness, efficiency, simplicity, environmental integrity, consistency and fairness. The forest carbon mechanism should address permanence, leakage and additionality.

Participation in the forest carbon mechanism will be voluntary by Parties, and should be country-driven, taking into account national circumstances and capabilities. Under the forest carbon mechanism, Parties shall:

- (a) Develop robust national carbon monitoring and accounting systems that are subject to review;
- (b) Develop national frameworks for the sustainable management of forests;
- (c) Establish national forest emissions levels, which take account of national circumstances, and that are agreed by the COP based on independent expert advice.

## 2. Means of implementation

|            |                                             |
|------------|---------------------------------------------|
| x.1 to x.3 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------------|---------------------------------------------|

113. Recognizing the need for financial support for capacity-building, technology transfer, policy implementation and institutional arrangements [necessary for strengthening forest governance], scaling-up demonstration activities, and measuring, monitoring and verifying emission reductions and increases in removals, and changes in carbon stock from the forest sector, readiness activities for REDD-plus [including activities to be implemented up to 2012] shall be financially supported through:

### Option 1

The establishment of a [Readiness fund][Special REDD-plus fund][a new and additional fund]. The funds shall come from contributions from [developed country Parties], [market-linked revenues], [innovative funding sources including auctioning of national emissions trading allowances or of assigned amount units at international level, and penalties or fines for non-compliance of developed country

Parties with their emission reduction and financial resources commitments]. These funds shall be [new and additional to ODA], [complementary to GEF, and bilateral and multilateral funding].

#### Option 2

A window of the relevant financial mechanism established under the Convention through [an International Climate Fund][a special climate change fund][a mitigation fund].

#### Option 3

Existing funds and institutions including multilateral, bilateral and domestic arrangements.

113.1. Acknowledging that the need for financial support will vary by country, and over time, and depending on their national circumstances, [as countries progress through phases of implementing nationally appropriate mitigation actions on REDD-plus].

|                                                  |
|--------------------------------------------------|
| 114. (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------------------------------------------|

3. [Measurement, reporting and verification of actions] [Measurement and monitoring system]

115–116.

#### Option 1

[Developing countries participating in the forest carbon mechanism shall register their national forest emissions level in their National Schedules, with activities under the forest carbon mechanism measured, reported and verified against their agreed national forest emissions levels].

#### Option 2

[Developing country Parties requesting support [shall] [should] record under the NAMA registry REDD-plus actions undertaken within their REDD-plus national [implementation plans] [action plans] [strategies], including information on the extent and type of support requested and the nature of the action, and any information received on measurement, reporting and verification of actions, including their outcomes.]

#### Option 3 (*Alternative to paragraph 115*)

[The COP (or the Conference of the Parties serving as the Meeting of the Parties) shall develop appropriate means of measuring, reporting and verifying tier 2 nationally appropriate mitigation actions associated with reducing emissions from deforestation and forest degradation.

To assist in developing methods and procedures for measuring, reporting and verifying Tier 2 nationally appropriate mitigation actions associated with reducing emissions from deforestation and forest degradation, developing country Parties shall develop:

- (a) national capacity needs assessments;
- (b) national forest inventories;
- (c) national and, where appropriate, subnational baselines to calculate changes in emissions from deforestation and forest degradation;
- (d) strategic plans to reduce emissions from deforestation and forest degradation.
- (e) quality assurance and quality control regulations to ensure that funds for reducing emissions from deforestation and forest degradation are used directly for that purpose and not diverted for other purposes.]

## Option 4

[Developing country Parties requesting support [, including market-based eligibility,] [shall] [should] submit to [...] [the Conference of the Parties] [the future REDD coordination mechanism under the UNFCCC] their national REDD-plus [implementation plans][action plans][and] [strategies] [information on their REDD-plus actions to the Conference of the Parties] [, including information on the extent and type of support requested, the nature of the actions to be supported, [as far as possible,] their systems for measurement [, reporting and verification] [monitoring] of actions, and the outcomes of the actions].]

117. [When establishing national reference emission levels [and][or] or national reference levels, [or subnational strategies] taking into account national circumstances, developing country Parties that are requesting support shall follow the guidance decided by the [COP] [Meeting of the Parties to this Agreement at its first session] to be adopted at its [xx] session on how to establish the levels[, including ways to address [domestic] leakage]] [if applying subnational approaches for demonstration activities] [and the development of guidance in monitoring and reporting with the full effective engagement of indigenous people and local communities.]]

117.1. [A global reference level for future emissions and removals from the forestry sector and other selected land-use and land-use change categories and activities from developing countries shall be established in order to avoid carbon leakage and to ensure the environmental integrity of the mechanism.

117.2. The methodology for the establishment of a global reference level shall:

- (a) Be robust and based on objective, measurable, and verifiable criteria;
- (b) Ensure additionality both at the national and the global level compared to business as usual scenarios.]

118. [Parties aiming to implement REDD-plus actions [duly supported with assured funding ] shall, [[under the NAMA registry as mentioned in paragraph 115 above][on the basis of their national REDD-plus [implementation plans][action plans][strategies]]:

- (a) Report information on the implementation of national REDD-plus implementation plans][action plans][strategies][actions ], readiness activities, including policy implementation and demonstration activities, and identified o-benefits [such as biodiversity ];]
- (b) [Measure and report the quantitative reduction of GHG emissions [or quantitative increments in removals] achieved and/or the change in carbon stocks in relation to the [reference emission level] [/reference level] [or the aggregate reductions achieved by its registered subnational activities] [national reference levels for emissions, removals, conservation areas, and existing forest carbon stocks, where relevant,] [national reference levels for emissions and/or removals, where relevant].]
- (c) [Report information on REDD-plus actions taken [up to 2012] [during the period from 2005 up to the date a Party gives notice under this paragraph] for consideration of credit for early action;]
- (d) [Report information, to be determined by the Parties, related to the application of a correction factor to the relevant national reference levels, either higher or lower, taking into account national circumstances, historically low rates of deforestation and forest degradation, developmental divergence, and respective capabilities and capacities.]



*Alternative to paragraph 118:*

[As part of the measuring and reporting process described in paragraph 88, Parties shall measure and report the quantitative reduction of GHG emissions achieved and/or the change in carbon stocks in relation to the national reference emission levels.]

119. Developing country Parties [shall][should] develop robust national monitoring systems for emission reductions [and][/or]] emissions removals, carbon stock changes, [in the land use, land-use change and forestry sector] [taking into account] relevant methodological guidance [to be] provided by the [COP] [Meeting of the Parties to this Agreement], on the basis of the advice received from the Subsidiary Body for Scientific and Technological Advice (SBSTA) including the use of [relevant IPCC guidelines and methodologies] [, when appropriate][the most recent IPCC guidelines [and methodologies] for GHG inventories] [, taking into consideration the indigenous ancient knowledge and local communities].

120. [[Measurement and monitoring][Measurement, reporting and verification] of REDD-plus actions shall be carried out in accordance with guidelines to be [agreed][decided ] by the [COP] [Meeting of the Parties to this Agreement]. These guidelines shall [cover, inter alia, eligibility criteria for access to support] [, take into consideration the advice resulting from the outputs of the work programme on methodological issues established under the SBSTA, and the type of support required, [while recognizing that higher levels of measurement, reporting and verification will be required for market-based eligibility.]]

120.1. [Monitoring, reporting and verification for REDD-plus actions shall extend to the provisions for involvement of indigenous peoples and local communities as set out above, and to consistency with sustainable forest management, noting, inter alia, the relevant provisions of the United Nations Forum on Forests, United Nations Convention to Combat Desertification and the Convention on Biological Diversity].

121. [Verification of [reported greenhouse gas emissions reductions and removals resulting from] REDD-plus actions shall be carried out by [an expert review team [under] [the guidance of ]] [national expert review teams, peer reviewed by a team of experts appointed by] the [COP] [Meeting of the Parties to this Agreement at its first session] [in accordance with the agreed rules and guidelines] [or] [a measurement, reporting and verification technical panel [appointed by the COP]] [measurement and monitoring technical panel] [which is to be established by the future coordinating REDD mechanism, which [shall] include inputs by indigenous people as well as local communities] [national experts and peer reviewed by international teams under the guidance of the COP in the case of national scale activities, and by an independent body(ies) in case of subnational scale activities]]

121.1. [To maintain the environmental integrity within and between international agreements on climate change, at the end of an agreement period, any final surplus in accounted emissions reductions and removals or enhancements compared with the reported quantity should be transferred to a subsequent international agreement on climate change.]

4. Measurement, reporting and verification of support

|            |                                             |
|------------|---------------------------------------------|
| 122 to 124 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------------|---------------------------------------------|

5. Institutional arrangements, including funds

|                 |                                             |
|-----------------|---------------------------------------------|
| x.1, 125 to 128 | (original text from FCCC/AWGLCA/2009/INF.1) |
|-----------------|---------------------------------------------|

*Alternative to section C:*

#### **A. OBJECT AND PURPOSE**

|            |                                             |
|------------|---------------------------------------------|
| x.1 to x.6 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------------|---------------------------------------------|

#### **B. DEFINITIONS**

|     |                                             |
|-----|---------------------------------------------|
| x.7 | (original text from FCCC/AWGLCA/2009/INF.1) |
|-----|---------------------------------------------|

#### **C. SCOPE**

|            |                                             |
|------------|---------------------------------------------|
| x.8 to x.9 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------------|---------------------------------------------|

#### **D. PRINCIPLES AND GUIDELINES**

|              |                                             |
|--------------|---------------------------------------------|
| x.10 to x.11 | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

#### **E. MEASUREMENT, REPORTING AND VERIFICATION (MRV)**

|              |                                             |
|--------------|---------------------------------------------|
| x.12 to x.15 | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

#### **F. REFERENCE LEVELS**

|              |                                             |
|--------------|---------------------------------------------|
| x.16 to x.21 | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

#### **G. PARTICIPATION**

|              |                                             |
|--------------|---------------------------------------------|
| x.22 to x.25 | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

#### **H. MODALITIES AND PROCEDURES**

|              |                                             |
|--------------|---------------------------------------------|
| x.26 to x.37 | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

#### **I. INSTITUTIONAL FRAMEWORK**

|      |                                             |
|------|---------------------------------------------|
| x.38 | (original text from FCCC/AWGLCA/2009/INF.1) |
|------|---------------------------------------------|

|              |                                             |
|--------------|---------------------------------------------|
| Annex A to E | (original text from FCCC/AWGLCA/2009/INF.1) |
|--------------|---------------------------------------------|

Annex III D

**Enhanced action on mitigation**

**Cooperative sectoral approaches and sector-specific actions**

This annex contains text from paragraphs 129–133 (pages 130–132) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered by the facilitator of the informal sub-group on cooperative sectoral approaches and sector-specific actions (CSAs). Paragraphs 130.1 and 131 were not considered, and the headings in italics are used to indicate the structure but will be removed from the text. This text was not negotiated.

The approach to the reordering emerged from the informal exchange among Parties in response to five questions posed by the facilitator: (1) what should CSAs do?; (2) what should CSAs do for all Parties?; (3) what should CSAs do for Annex I?; (4) what should CSAs do for non-Annex I Parties?; (5) what should CSAs not do?

Paragraphs have been renumbered, starting from 1.

Paragraphs can be traced to their origin by using the explanatory table contained in annex III D to document FCCC/AWGLCA/2009/INF.2/Add.1, or through the relevant non-paper prepared by the facilitator during the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

Structural proposals:

*1) This section should not be a separate section from NAMAs; it should be included in the section on nationally appropriate mitigation actions by developing countries.*

*2) Move paragraphs 135–138 on international aviation and maritime emissions to a new section separate from the general sectoral approaches.*

*[What cooperative sectoral approaches and sector-specific actions (CSAs) should do]:*

1. Cooperative sectoral approaches and sector-specific actions shall be focused on the enhanced implementation of Article 4.1 (c) of the Convention, on:
  - (a) The development, application and diffusion, including transfer, of technologies, practices and processes that control, reduce or prevent anthropogenic emissions of greenhouse gases not controlled by the Montreal Protocol in all relevant sectors, including, but not limited to, the energy, transport, industry, agriculture, forestry, health, tourism and waste management sectors;
  - (b) The provision of information on available technologies, conditions of access to and financing transfer of these technologies, including the development of effective modalities for the implementation of all stages of the technology cycle, from development, application, transfer, and diffusion;
  - (c) Actions that cover the whole scope of technologies for both adaptation and mitigation, including those that control, reduce and prevent emissions, and for abatement of

increases in emissions and enhancement of and removal by sinks, and include those technologies that are publicly owned or in the public domain, as well as those held by the private sector.

2. Cooperative sectoral approaches and sector-specific actions should enhance the implementation of Article 4.1 (g) and (h) of the Convention through the provision of financial resources, including for transfer of technology, at agreed full incremental costs in accordance with Article 4.3 of the Convention.

3. [Cooperative sectoral approaches and sector-specific actions [shall][should] enhance the implementation of Article 4.1(c) of the Convention. To this end, these approaches and actions [should]]:

- (a) [Be applied at the national level [only];]
- (b) Be applicable to all sectors;
- (c) [[Be tailored to][Take into account] national sector-specific needs and priorities and [consider] social and economic conditions and other relevant factors;]
- (d) [[Strengthen][[Be aimed at strengthening] cooperative actions within any phase of the technological cycle and facilitate the management of technical and financial resources for the implementation of NAMAs;]]

4. [*What they should do for all Parties*]:

- (a) [The implementation of cooperative sectoral approaches and sector-specific actions should [complement and support national commitments of all Parties under Article 4.1;]]
- (b) [Cooperative sectoral approaches and sector-specific actions should be implemented as analytical tools to inform national mitigation efforts, taking into account the capabilities of each sector;]
- (c) [Be used in the definition and implementation of mitigation actions in developed and developing countries;]
- (d) [Bottom-up sectoral analysis may be used as a tool for analysing mitigation potential, based on recent scientific findings and existing knowledge, using a common methodology to determine sectoral baselines of Parties;]
- (e) [Contribute to the enhancement of Parties' [measurable, reportable and verifiable] actions in order to ensure environmental integrity;]
- (f) [[Assist in fostering][Foster private- and public-sector][national initiatives in R&D, capacity-building and [technological] [technology] cooperation;]
- (g) [Cooperative sectoral approaches and sector-specific actions may also be used as instruments for both market and non-market mechanisms.]

5. [*What they should do for developed country Parties*]:

For developed country Parties, sectoral efforts may contribute to, but cannot replace, legally binding absolute emission reduction targets (QELRCs) and mitigation commitments for all Annex I Parties.

6. [*What they should do for developing country Parties*]:

- (a) [[Assist in achieving [the levels of] financing and technology transfer] [necessary to address climate change] in a measurable, reportable and verifiable manner;]

[Facilitate as appropriate in obtaining finance, technology and know-how to address climate change in a measurable, reportable and verifiable manner;]

- (b) [Facilitate the identification of best practices and best available technologies for each sector through cross-border analysis and promote the transfer of those best practices and best available technologies [from developed country Parties through analysing reduction potentials and setting indicators];]

[Facilitate the identification of best practices and best available technologies and promote the exchange of information;]

- (c) For developing country Parties, domestic sectoral efforts may be one option in the toolbox for national mitigation actions.

7. [Cooperative sectoral or sector-specific actions by developing countries to control their GHG emissions represent modalities of their implementation of Article 4.1 of the Convention. Annex II Parties must therefore meet their commitments for the provision of support for these actions to developing countries in accordance with Article 4.3, 4.5 and 4.7 of the Convention.]

Alternative to paragraph 7:

[Actions by developing countries to control their GHG emissions in the framework of cooperative sectoral approaches or sector-specific actions represent modalities of their implementation of Article 4.1 of the Convention. Annex II Parties must therefore meet their commitments for the provision of financial support in accordance with Article 4.3 and for the transfer of environmentally sound technology and know-how in accordance with Article 4.5 Convention. Article 4.7 on the balance between the provision of support by developed country Parties and implementation by developing country Parties also applies to such cooperative sectoral approaches or sector-specific actions.]

8. [*What they should not do*]:

- (a) [Cooperative sectoral approaches and sector-specific actions should not be used to circumvent or undermine the differentiation made in the Convention between Annex I and non-Annex I Parties or modify their respective commitments and obligations;]
- (b) [The implementation of cooperative sectoral approaches should [not replace the national targets of developed country Parties [or lead to [new commitments for developing country Parties, [trans-national or national emission reduction targets,]] arbitrary or unjustifiable discrimination or disguised restriction on international trade [, or the application of global uniform and equal standards for Parties]]];]
- (c) [Sectoral approaches and sector-specific actions should be cooperative and not imposed by one Party or some Parties on other Parties;]
- (d) [In particular, inclusion of international transport in an ETS shall not impose constraints and incremental costs on developing countries. Developing countries should be exempted or, if included they should be given financial and technological support to enable them to comply with these provisions without incurring any incremental costs.]

Annex III E**Enhanced action on mitigation****Economic and social consequences of response measures**

This annex contains text from paragraphs 159–165 (pages 142–146) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered by the facilitator of the informal sub-group on paragraph 1 (b) (vi) of the Bali Action Plan on economic and social consequences of response measures, and reflecting the discussion by Parties relating to the preamble and substantive paragraphs.

The approach to the reordering was presented by the facilitator at the meetings of the group and was done by using four titles which were included solely to assist the reader. No consolidation of the text took place at that stage.

Paragraphs have been renumbered, starting from 1.

Paragraphs can be traced to their origin by using the explanatory table contained in annex III E to document FCCC/AWGLCA/2009/INF.2/Add.1.

*Structural proposal:*

*Include the treatment of the underlying causes of deforestation and degradation of forests.*

[Context]<sup>1</sup>

*Proposals for preambular paragraphs and framing statements:*

1. Recognizing the special difficulties of those countries, especially developing countries, whose economies are particularly dependent on fossil fuel production, use and exportation, as a consequence of action taken on limiting greenhouse gas emissions,
2. The specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the Convention, should be given full consideration.<sup>2</sup>
3. There is a need to undertake a global transition to a low-emission economy in order to tackle climate change. Although this transition presents a major opportunity for all countries to follow a clean development path, it can also pose challenges for all Parties, in particular the most vulnerable countries. Parties should work together to ensure that this transition is congruent with sustainable development processes in all countries.
4. The difficulties of assessing the complex issue of potential impacts of policies are compounded by the fact that some of these impacts are unintended and often unanticipated. Wider economic and political factors can play a role in the vulnerability of socio-economic sectors and can amplify or diminish the impacts of policies.

<sup>1</sup> Titles are included solely to assist the reader.

<sup>2</sup> Proposed by Saudi Arabia during the second meeting of the informal subgroup on economic and social consequences of response measures (para. 1 (b) (vi) of the Bali Action Plan).

5. Mechanisms should be developed to allow for mitigating the impact of the response measures on productive workforces, promoting a gradual and just transition in the most affected economic sectors and contributing to building new capacities for both production- and service-related jobs.

6. Parties acknowledge that the issue of adaptation to the adverse impacts of climate change is a separate issue and one to be addressed under the adaptation building block of the Bali Action Plan, while the discrete issue of the impacts of response measures is to be addressed under enhanced action on mitigation under the mitigation building block of the Bali Action Plan.

7. [Developed country Parties shall not resort to any form of unilateral measures including countervailing border measures, against goods and services imported from developing countries on grounds of protection and stabilization of the climate. Such measures would violate the principles and provisions of the Convention, including, in particular, those related to the principle of common but differentiated responsibilities (Article 3, paragraph 1), to trade and climate change (Article 3, paragraph 5), and to the relationship between mitigation actions of developing countries and the provision of financial resources and technology by developed country Parties (Article 4, paragraphs 3 and 7).]<sup>3</sup>

Alternatives to paragraph 8:<sup>4</sup>

Alternative 2:

[Parties shall strive to implement mitigation policies and measures in such a way as to minimize social, environmental and economic impacts on other Parties, especially the poorest and most vulnerable developing country Parties, which are least able to address them, taking into account Article 3 of the Convention.]

Alternative 3:

[Parties shall strive to implement policies and measures to respond to climate change in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially those Parties that are most vulnerable to the adverse effects of climate change and least able to adapt, taking [fully] into account Article 3 of the Convention [, in particular Article 3.5]. Such efforts should not constrain or hinder progress in addressing climate change.]

[Differentiated commitments/different capacities to address economic and social consequences of response measures]<sup>5</sup>

8. [Developed countries shall [strive to] implement policies and measures to respond to climate change in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and [social, [environmental] and economic impacts on other Parties] [adverse economic, social or environmental consequences], [especially developing country Parties, and in particular those identified in Articles 4.8, 4.9 and 4.10 of the Convention, taking [fully] into account Article 3 of the Convention [, in particular Article 3.2, 3.3 and 3.5]].]

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<sup>3</sup> Proposed by India during the first meeting of the informal subgroup on economic and social consequences of response measures (para. 1 (b) (vi) of the Bali Action Plan).

<sup>4</sup> One Party requested alternatives 2 and 3 to be moved under this title and another one requested these to stay under the second title (Differentiated commitments/different capacities to address economic and social consequences of response measures).

<sup>5</sup> Titles are included solely to assist the reader.

Alternatives to paragraph 8:<sup>6</sup>Alternative 1:

[Developed country Parties shall minimize the adverse effects of response measures, on international trade, and social, environmental and economic impacts of response measures on other Parties, especially developing country Parties, and in particular those identified in Articles 4.8 and 4.9 of the Convention.]

Alternative 2:

[Parties shall strive to implement mitigation policies and measures in such a way as to minimize social, environmental and economic impacts on other Parties, especially the poorest and most vulnerable developing country Parties which are least able to address these impacts, taking into account Article 3 of the Convention.]

Alternative 3:

[Parties shall strive to implement policies and measures to respond to climate change in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially those Parties that are most vulnerable to the adverse effects of climate change and least able to adapt, taking [fully] into account Article 3 of the Convention [, in particular Article 3.5]. Such efforts should not constrain or hinder progress in addressing climate change.]

Alternative 4:

[All Parties shall endeavour to reduce their emissions in such a way as to avoid economic and social consequences of taking such actions. In taking action to avoid economic and social consequences of mitigation action, special attention should be given to low-income countries, and in particular to the consequences for women and children in these countries.]

Alternative 5:

[[Developed [and developing] countries] [Developed and developing country Parties] [All Parties] [shall] [should]][consider [how to avoid] negative spillover effects and positive spillover effects when designing their policies and measures to tackle climate change;]]

9. All Parties should cooperate to enhance understanding of the potential consequences of policies and measures, taking into account:

- (a) The need for information from those affected;
- (b) Evidence of actual impacts;
- (c) Both positive and negative effects.

10. [Efforts to assess the potential effects of response measures should not constrain or hinder progress in addressing climate change.]

11. [[Developed [and developing] countries] [Developed and developing country Parties] [All Parties] [shall] [should]:]

- (a) [Enhance the understanding of adverse economic and social consequences of response measures by the exchange and sharing of information between Parties on experiences relating to actual impacts of climate change response measures, cooperating in developing tools and methods and building the capacity to assess potential impacts of climate change policies and measures in the affected countries, paying particular

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<sup>6</sup> One Party requested alternatives 2 and 3 to stay under this title and another one requested these to be moved to the first title (Context).



attention to the needs and concerns of the poorest and most vulnerable developing country Parties which are least able to address them;]

- (b) Promote the understanding of the nature and magnitude of the impacts of climate change and its adverse effects, as well as the economic and social consequences of various response strategies;
- (c) Promote and cooperate in scientific, technological, technical, socio-economic and other research, systematic observation and development of data archives related to the climate system and intended to further the understanding and to reduce or eliminate the remaining uncertainties regarding the causes, effects, magnitude and timing of climate change and the economic and social consequences of various response strategies (Article 4.1 g);
- (d) Promote and cooperate in the full, open and prompt exchange of relevant scientific, technological, technical, socio-economic and legal information related to the climate system and climate change, and to the economic and social consequences of various response strategies (Article 4.1 h);
- (e) Alternative 1  
[Provide information in their national communications on any impacts of the implementation of their commitments under the Convention and any related instruments;]  
Alternative 2  
[Make use of the national communications to report on impacts experienced arising from the implementation of climate change response measures taken by another Party;]  
Alternative 3  
[Provide information in their national communications on any impacts they are experiencing as a result of the implementation of their commitments under the Convention;]
- (f) [[Assess] [Consider] the economic, [cultural,] [environmental] and social effects of their mitigation strategies and measures;]
- (g) [Request the secretariat to undertake [a] comprehensive [studies] [study] of direct costs and adverse impacts of response measures, as well as associated indirect costs and impacts on other Parties, especially on developing country Parties identified in Articles 4.8, 4.9 and 4.10 of the Convention.]

12. [All Parties shall develop and implement policies and measures to ensure that mitigation action, including, inter alia, the use of biofuels, does not contribute to deforestation and forest degradation in developing countries.]<sup>7</sup>

13. [As a means of ensuring that mitigation action, including, inter alia, the use of biofuels, does not contribute to deforestation and forest degradation in developing country Parties, all Parties shall initiate forest law enforcement, governance and trade measures.]<sup>8</sup>

14. [All Parties shall ensure that all actions to reduce emissions from deforestation and forest degradation in some countries do not result in emissions from deforestation and forest degradation in

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<sup>7</sup> The placement and appropriateness of paragraphs 12 to 14 were objected to by some Parties.

<sup>8</sup> Same as footnote 7.

other countries as a result of emissions displacement. Measures may include regulation of demand-side use of forest products or other commodities that have resulted in deforestation or forest degradation.]<sup>9</sup>

*[Financial resources and transfer of technology]*<sup>10</sup>

15. [Developed country Parties [shall][should] provide support to developing country Parties, particularly those specified in Articles 4.8 and 4.9 of the Convention, in order to allow developing country Parties to address issues related to social and environmental development, economic diversification, risk assessment, modelling and insurance to prevent the adverse effects of the spillover effects.]

*Alternative to paragraph 15:*

[In the implementation of paragraphs 11 (c)<sup>11</sup> and 11 (d)<sup>12</sup> above (159.1 and 159.2 in FCCC/AWGLCA/2009/INF.1) , through the provision of financial resources, including for access, development and transfer of technology, at agreed full incremental costs in accordance with Article 4.3 of the Convention;

Recognizing that there are ways and means to reduce or avoid such impacts through careful and informed selection of policies and measures, to evaluate the effectiveness of existing tools, and to consider new ones, in order to assist developing country Parties in addressing these impacts.]

16. [Adverse economic and social consequences of response measures [shall][should] be addressed by proper economic, social and environmental actions, including promoting and supporting economic diversification and the development and dissemination of win-win technologies in the affected countries, paying particular attention to the needs and concerns of the poorest and most vulnerable developing country Parties.]

*Alternative to paragraph 16:*

[Adverse economic and social consequences of response measures shall be addressed by various means, including but not limited to promoting, supporting and enabling economic diversification, funding, insurance and the development, transfer and dissemination of win-win technologies in the affected countries, such as cleaner fossil fuel technologies, gas flaring reduction, and carbon capture and storage technologies.]

17. [[Developed [and developing] countries] [Developed and developing country Parties] [All Parties] [shall] [should]:]

- (a) Compensate for damage to the LDCs' economy and also compensate for lost opportunities, resources, lives, land and dignity, as many will become environmental refugees;
- (b) Africa, in the context of environmental justice, should be equitably compensated for environmental, social and economic losses arising from the implementation of response measures.

*[Institutional arrangements]*<sup>13</sup>

18. [A permanent [forum] shall be established, under the [COP][Subsidiary Body for Implementation], to provide a venue for Parties to share information, experiences and views on the economic [and] [,] social [and environmental] consequences of response measures, so as to enhance the

<sup>9</sup> Same as footnote 7

<sup>10</sup> Titles are included solely to assist the reader.

<sup>11</sup> This reflects the revised numbering based on the reordering of paragraphs.

<sup>12</sup> Same as footnote 11.

<sup>13</sup> Titles are included solely to assist the reader.

efforts of Parties to analyse and understand these consequences and to identify innovative policy responses and technologies to address adverse consequences. This permanent forum shall be open to participation by all Parties and intergovernmental organizations, and mobilize expertise from the scientific and modelling communities and the private sector. The [work of the] permanent forum should [lead to] [formulate] a comprehensive framework to address adverse consequences [by] [in order to], inter alia:]

- (a) Preparing guidelines on how to integrate/assess the adverse impacts of response measures;
- (b) [[Enabling] [Enable] all Parties to select appropriate and effective policies and measures that achieve the desired mitigation results while avoiding or reducing the adverse impacts of these policies and measures on the sustainable development of other Parties, particularly developing country Parties;]
- (c) [[Enabling] [Enable] developing country Parties confronted by unavoidable adverse consequences of policies and measures to strengthen their resilience and adaptive capabilities [and to] [by inter alia] undertaking economic diversification and integrate these responses into their sustainable development processes;]
- (d) Reporting periodically to the COP.

19. [The permanent [forum] should also formulate/implement a work programme that [includes] [addresses inter alia] the following components:]

- (a) [Insurance and financial risk management;]
- (b) [Modelling, analytical and methodological tools;]
- (c) [Economic diversification;]
- (d) Early warning and systematic observation;
- (e) Disaster management and preparedness;
- (f) Compensation procedures and actions including funds;
- (g) Funding;
- (h) Other related matters.]

Annex IV**Enhanced action on the provision of financial resources and investment**

This text reflects the efforts undertaken by the facilitator of the informal group on finance to consolidate paragraphs 166–179 (pages 146–169) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1) following the discussion among and comments from the Parties during the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

In line with the approach agreed by Parties, parts of the text referring to similar concepts were reordered and consolidated with an attempt to retain the original language used in the revised negotiating text.

The consolidation of text has been undertaken in such a manner that the full rationale of Parties' proposals are reflected as alternatives. The use of brackets in the text to show alternatives is based on submissions from the Parties and is on the understanding that the entire text is subject to scrutiny and discussion by the Parties.

Paragraphs can be traced to their origin by using the explanatory table contained in annex IV to document FCCC/AWGLCA/2009/INF.2/Add.1. The table in that addendum also provides the rationale for the consolidation.

Structural proposals:

- 1) *A. Objectives, role of the UNFCCC and guiding principles;  
B. Sources of funds;  
C. Actions by all Parties;  
D. Institutional arrangements.*
- 2) *Move the text on compliance (para. 178) to an integrated section on measurement, reporting and verification or to a section on the review mechanism under the COP.*
- 3) *Paragraphs 22 (c), 28–36, 41 and 42 should be moved from the adaptation chapter to the finance chapter. Paragraphs 22 (c), 30, 32 and 35 should be inserted in this chapter as appropriate and bracketed, as they are duplicative. The other paragraphs should be inserted and bracketed.*
- 4) *Proposals on “mechanisms for facilitating financial support for NAMAs” (paras. 77–87) should be moved from the mitigation chapter to the financing chapter.*
- 5) *Paragraphs 113 and 114 on REDD and implementation of REDD-plus should be moved to the finance chapter.*
- 6) *Text identifying the objectives and scope for the “enhanced action on the provision of financial resources and investment” (elements from paras. 167–170) should precede text on principles for implementation (para. 166).*

*Suggestions on placement reflected in other chapters that are related to chapter IV, include:*

*Move proposals related to finance contained in paragraphs 75–80 to chapter IV A on finance*

*Move all options included in paragraphs 77–80, except paragraph 78, subparagraph 3, to chapter IV A on finance*

*Move paragraph 81 to chapter IV A on finance*

*Move chapter III B, subsection 2, on means of implementation to chapter IV*

*Move chapter III B, subsection 4, on measurement, reporting and verification of support to chapter IV*

*Move chapter III B, subsection 5, on institutional arrangements to chapter IV*

*Move paragraphs 125 and 126 to chapter IV A on finance*

*Move paragraph 198 to chapter IV A on finance*

*Move paragraph 201 to chapter IV A on finance*

## 1. Preamble

1. Deeply concerned over the substantial gap between the financial resources required for enhanced action on adaptation and mitigation in developing countries and the level of financial resources currently available,
2. Noting the various estimates of financial resources needed to address adaptation<sup>1</sup> and recognizing the urgency of taking enhanced action on adaptation by all developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, in particular low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems.
3. Further, taking into account that adaptation needs are already an urgent necessity, it is clear that early and ambitious emission reduction by developed country Parties will decrease needed efforts and funding for adaptation.
4. Highlighting that financial commitments have not been met by developed country Parties and other developed Parties included in Annex II and emphasizing the urgent need for these Parties to honour their commitments in accordance with Article 4, and in particular Articles 4.3, 4.4, and 4.5 of the Convention by providing resources to support adaptation, mitigation and technology transfer, developed country Parties and other developed Parties included in Annex II shall provide new and additional to ODA, predictable and sustained level of financial resources to support enhanced action on mitigation and adaptation in developing countries;
5. To ensure the full, effective and sustained implementation of the Convention in relation to the implementation of the commitments of developed country Parties and other developed Parties included in Annex II for the provision of new and additional, adequate and predictable financial resources, on a grant or concessional basis, including for the transfer of technology, as stipulated in Article 4.3 of the Convention, and to enhance the implementation of Articles 4.1, 4.3, 4.4, 4.5, 4.8, and 4.9, in the context of Article 4.7, and in accordance with Article 11 of the Convention, the COP shall operationalize an

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<sup>1</sup> The United Nations Development Programme estimated that an additional USD 86 per year would be needed in 2015 and as per UNFCCC estimates USD 28–67 would be needed in 2030.

effective financial mechanism under the Convention, under its authority and governance, in accordance with article 11.1 and 11.2 of the Convention and in fulfilment of its functions as its Supreme Body, as mandated under Article 7.2 (h) of the Convention.

## 2. Objective and scope

6. The provision of financial resources shall be guided by the principles of the Convention and the priorities of developing country Parties, and arrangements shall be made for financial resources to be made available to enable developing country Parties, especially those particularly vulnerable to the adverse impacts of climate change, to take nationally appropriate mitigation and adaptation actions, in the context of sustainable development priorities.

7. The objective of the provision of financial resources is to promote equity and justice through further enhancement of the full, effective and sustained implementation of the Convention and the Bali Action Plan, so that the ultimate objective of the Convention can be achieved.

8. Parties agree to establish, in accordance with Article 11 of the Convention, the Financial Mechanism of the Convention with a structure that meets the specific requirements laid down under Articles 11.1 and 11.2 of the Convention. The Financial Mechanism shall enable, enhance and support mitigation and adaptation actions by developing country Parties to meet the objective(s) in accordance with Article 4.3, 4.4 and 4.5 of the Convention through the provision of financial resources to meet the agreed full incremental costs of such actions, including the full cost of adaptation activities, technology transfer and capacity-building.

9.

### Alternative 1:

The main source of funding will be new and additional financial resources, defined as resources over and above the financing provided through financing institutions outside of the framework of the financial mechanism of the Convention (listed in Article 11.5), and shall be regarded as fulfilment of commitments by developed country Parties and other developed Parties included in Annex II under Article 4.3 of the Convention, and their obligations to provide measurable, reportable and verifiable financing, as referred to in paragraph 1 (b) (ii) of the Bali Action Plan.

### Alternative 2:

The developed country Parties, other developed country Parties included in Annex II to the Convention and other Parties, according to agreed eligibility criteria, or those in a position to do so, may also provide, and developing country Parties may avail themselves of, financial resources through bilateral, regional and other multilateral channels.

### Alternative 3:

Parties may provide financial resources through bilateral, regional and other multilateral channels for actions carried out in fulfilment of the objectives of this Agreement. These financial resources shall be deemed as contributing to the fulfilment of the financial commitments of this Agreement, in accordance with the relevant provisions of this Agreement.

### Alternative 4:

There is a need for a toolbox of financing instruments that can be applied to particular technologies or national circumstances. A portfolio approach to finance is important to maintain flexibility and to be able to tailor solutions to particular financing and technology challenges.

10.

Alternative 1:

Full consideration should be given to the specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing countries Parties, that would have to bear a disproportionate or abnormal burden.

Alternative 2:

The financial needs of developing country Parties vary according to their national circumstances, their economic and technical capacity, and the implementation measures undertaken.

### 3. Principles

11. [Chapeau]

Alternative 1:

The operationalization of an effective financial mechanism with a view to enhancing the implementation of the Convention shall be guided by the following principles:

Alternative 2:

The financial architecture enabled by this Agreement [shall] be guided by the following:

Alternative 3:

Parties should seek to enhance the coherence and effectiveness of multilateral climate change related financial support, guided by the following principles:

(a) Alternative 1:

Fair, inclusive, efficient and effective, and equitable and geographically balanced representation of all Parties shall be ensured within a transparent system of governance;

Alternative 2:

Fully transparent, fair, feasible, efficient and effective, and appropriately balanced representation of all Parties [shall][should] be ensured;

- (b) Fulfil the implementation of the commitments contained in Articles 4.3, 4.4, 4.5, 4.8 and 4.9 in the context of Article 4.7 of the Convention and be underpinned by the principles of equity and common but differentiated responsibilities. Developed country Parties shall provide financial resources and transfer technology to developing country Parties to make full and effective repayment of climate debt, including adaptation debt, taking responsibility for their historical cumulative emissions and current high per capita emissions. Developing country Parties will, in pursuing economic development and poverty eradication, take proactive measures to adapt to and mitigate climate change;

(c) Alternative 1:

The financial mechanism shall operate and function under the authority, governance and guidance of, and be fully accountable to, the COP, which shall decide on its policies, programme priorities and eligibility criteria, and allocation of resources for adaptation, mitigation, technology and capacity-building and any other function that may be determined by the COP;

Alternative 2:

The financial mechanism [shall][should] function under the guidance of [the COP] [the Meeting of the Parties to the Copenhagen Agreement];

Alternative 3:

The financial mechanism shall function under the strategic guidance of the COP.

(d) Alternative 1:

Coherence in the global financial architecture under the authority and governance of the COP and coordination between various financial resources and individual funds [shall] [should] be ensured in order to reduce fragmentation in the implementation of the Convention and promote access to, and enhance the variety of, available funding sources;

Maintain consistency with the policies, programme priorities and eligibility criteria adopted by the decisions of the COP, as well as all activities, including those related to funding, that are relevant to climate change, and undertaken by institutions outside the framework of the financial mechanism;

Alternative 2:

Coherence and coordination between financing under the guidance of the Meeting of the Parties to the Copenhagen Agreement and various financial mechanisms and individual funds should be encouraged and facilitated in order to reduce fragmentation, strengthen synergy and build on their comparative advantages in the implementation of this Agreement and promote access to a wide variety of available funding sources. In their interaction with relevant institutions, the Meeting of the Parties to the Copenhagen Agreement and individual Parties are requested to take these principles into account in pursuing the objectives of this agreement;

Alternative 3:

Coherence in the global financial architecture of multilateral climate change related support, including between the financial mechanism of the UNFCCC and various financial sources and funds not accountable to and outside the guidance of the COP, shall be promoted, with existing institutions utilized more efficiently;

## (e) The funding provided by developed country Parties and other developed Parties included in Annex II shall be new and additional, adequate, predictable and sustained;

(f) Alternative 1:

All the developing country Parties are eligible for the funding;

Alternative 2:

All developing country Parties [shall][should] be eligible for direct access to the financial resources, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi- arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems that are particularly vulnerable to the adverse effects of climate change with special attention given to the needs of vulnerable countries, with special preference given to the needs of LDCs and SIDS. In prioritizing support, the level of vulnerability, determined by national circumstances, respective financial and technical capabilities, levels of risk and impacts, as well as levels of poverty and climate change exposure, should be taken into account;

Alternative 3:

All developing country Parties [shall] be eligible to access financial resources, in accordance with the objectives and provisions under this Agreement, with special attention given to the adaptation needs of the most vulnerable countries;



Alternative 4:

All developing country Parties [shall][should] be eligible to access the financial resources, with special attention given to the needs of vulnerable countries, according to their financial capacity;

Alternative 5:

All Parties that meet specified criteria shall be eligible to access the financial resources with special attention given to the needs of vulnerable countries. The criteria set should be based on:

- (i) National and regional development priorities;
- (ii) Natural and geographical characteristics; resource endowment;
- (iii) Relative size of the economy;
- (iv) Economic and technological capacity;
- (v) Position on the human development index;
- (vi) Being eligible to borrow from the World Bank (IBRD and/or IDA) or to be an eligible recipient of UNDP technical assistance through its country Indicative Planning Figure (IPF);

Alternative 6:

Recognition of the urgency to address the adverse impacts of climate change on the vulnerable countries such as LDCs and small island developing states;

In providing adaptation support, priority [shall][should] be given to developing country Parties that are the most vulnerable to climate change impacts and that are the least able to adapt:

- (i) Supporting adaptation at local and national levels;
- (ii) Particularly vulnerable developing country Parties, especially:
  - Poor developing country Parties;
  - LDCs and SIDS, and countries in Africa affected by drought, desertification and floods;
  - Low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, archipelagic countries, and developing countries with fragile mountainous ecosystems;
  - Countries with unique biodiversity, tropical glaciers and fragile ecosystems;
  - Particularly vulnerable populations, groups and communities, especially the poor, women, children, the elderly, indigenous peoples, minorities and those suffering from disability;

In addition to the above, priority consideration should also be given to ecosystem-based adaptation activities;

- (g) Alternative 1:  
Funds shall be allocated for adaptation, mitigation, technology transfer and capacity building, in a balanced manner giving them equal consideration, with a special emphasis on adaptation with preferential allocation for the most vulnerable countries particularly with shares decided every two years, allocating financial resources based on the decided ratios;
- Alternative 2:  
Prioritizing support for adaptation is important;
- (h) Alternative 1:  
Enable direct access to funding by the recipients in order to recognize, promote and strengthen effective engagement at the national level and access to funds by Parties shall be inversely proportional to their contribution to greenhouse gases in the atmosphere;
- Alternative 2:  
Access to financial resources [shall][should] be simplified and improved, including direct access where appropriate[provided that the fiduciary standards of the in-country recipient entities are effective], while ensuring internationally agreed fiduciary standards and eligibility criteria. Financial resources [shall][should] be provided in an expeditious, effective, equitable and timely manner, subject to robust governance arrangements agreed by the Parties;
- Alternative 3:  
Access to financial resources [shall][should] be simple and an improved version of past experiences, and provided efficiently, effectively, and timely to eligible Parties;
- (i) Alternative 1:  
Enable a shift from a project-based approach when dealing with proposals for funding, to a programmatic approach, where appropriate, in order to make optimal use of the full range of means of implementation available and to allow for implementation at scale;
- Alternative 2:  
Delivery of financial resources should be as efficient as possible, including by following a programmatic approach if feasible;
- Alternative 3:  
Delivery of financial resources [shall][should] be goal-oriented and follow a programmatic approach, using a project approach when appropriate.
- (j) Alternative 1:  
Ensure recipient country involvement during the stages of identification, definition and implementation of activities, rendering it truly demand-driven;
- Alternative 2:  
Delivery of financial resources should be country driven and ensure ownership by developing countries.
- (k) Alternative 1:  
Financial resources shall be provided for the implementation of concrete actions;
- Alternative 2:  
The delivery of financial resources shall be for implementation and could strive to leverage other forms of financing including private-sector financing through the carbon market and to ensure participation of LDCs and SIDS

Alternative 3:

The delivery of financial resources [shall][should] strive to leverage other forms of financing, including private-sector financing through the carbon market and/or through other measures;

(l) Alternative 1:

Financial resources [shall][should] be provided in the form of [grants on a full cost basis for LDCs and SIDS and for adaptation, and a combination of] [grants and concessional loans [for mitigation and specific programmes]] as per commitments under Article 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention;

Alternative 2:

Financial resources [shall][should] be provided in a variety of forms;

Alternative 3:

Financial resources may be provided, inter alia, on a grant or concessional basis or in the form of guarantees, where appropriate;

Alternative 4:

Financial resources [shall][should] be provided in the form of [grants][grants and concessional loans for specific programmes] and should not crowd out private investment or create market distortions.

(m) Alternative 1:

New and additional financial resources shall be provided, in accordance with Article 4.3:

- (i) To meet the full agreed costs incurred by developing countries, for a defined list, in complying with their obligations for preparing national communications under Article 12.1 of the Convention;
- (ii) To meet the agreed full incremental costs, including transfer of technology, for a defined list of measures covered by Article 4.1 of the Convention;
- (iii) For technical assistance to build the readiness of developing countries to access larger pools of financing;

Alternative 2:

Financial resources may be provided for funding international, regional or national activities that contribute to the continued fulfilment of Article 4.1 of the Convention;

(n) Alternative 1:

Mutual accountability, country ownership, alignment, harmonization, focus on results [with a compliance mechanism] and sound financial management, taking into account the principles of aid effectiveness as set out in the Paris Declaration on Aid Effectiveness, and in accordance with internationally agreed environmental and social standards and safeguard policies;

Alternative 2:

Mutual accountability [with a compliance mechanism] and sound financial management, consistent with the principles of aid effectiveness as set out in the Paris Declaration on Aid Effectiveness;

- (o) Responsiveness to evolving needs and respective roles of public and private finance.

#### 4. [Generation][Provision] of financial resources

12. All Parties, in accordance with their respective capabilities, shall implement and periodically report on policies and instruments to mobilize public and private financial resources, improve enabling environments for investment in support of measures to mitigate and adapt to climate change outlined in Article 4.1 of the Convention.

13.

##### Alternative 1:

The public sector shall be the major source of funds, while market mechanisms and other private-sector sources would play a complementary role in addressing climate change. Public finance may also be used to leverage private investment and to provide incentives for additional efforts.

##### Alternative 2:

Private funding will be the main source of investment, channelled via appropriate policy frameworks and regulations that create enabling environments and demand for climate change technologies. Financing the incremental costs of technologies for adaptation and mitigation is dependent on public sources of finance and public policies. Where it is provided, public finance should be directed to areas that cannot be adequately financed by the private sector to leverage private investment and to provide incentives for additional efforts.

##### Alternative 3:

Both public and private finance should play a major role in the implementation of this Agreement. Public finance should leverage private investment and provide incentives for additional efforts, and be directed towards areas that cannot be adequately financed by the private sector, in particular for adaptation. Private funding, channelled via appropriate policy frameworks, should be the main source of necessary investment for mitigation. Parties should encourage the establishment of a robust carbon price signal, including through a progressive integration into the global carbon market, as a key means to deliver cost-effective emissions reductions globally.

14.

##### Alternative 1:

In order to meet both the scale of financial resources required and the commitments under Article 4.1, 4.3, 4.4, 4.5, 4.8 and 4.9 to support enhanced action on adaptation and mitigation by developing country Parties, including for technology cooperation and capacity-building, developed country Parties and other Parties included in [Annex II][Annex I] to the Convention shall provide scaled-up, new and additional, over and above ODA, sustained, adequate, predictable and stable financial resources in a measurable, reportable and verifiable manner, without diverting ODA.

##### Alternative 2:

In order to meet the scale of financial resources required to support enhanced action on adaptation and mitigation by developing country Parties, and for technology cooperation and capacity-building, developed country Parties and other Parties that meet agreed periodically reviewed criteria [shall] provide scaled-up, new and additional, sustainable, adequate, predictable and stable financial resources.<sup>2</sup>

##### Alternative 3:

Developed country Parties and other Parties according to their capability should ensure that scaled-up, new and additional financial resources, over and above existing ODA, are provided bilaterally and

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<sup>2</sup> In accordance with section II F and section III B4 and III C 4a (of the revised negotiating text in reference to adaptation, mitigation and their means of implementation).

multilaterally, so that climate-related support can be delivered to developing countries in a manner that is, to the extent feasible, sustainable, adequate and predictable.

15.

Alternative 1:

The [generation][provision] of financial resources shall be guided by the principles of the Convention, in particular the principles of common but differentiated responsibilities, respective capabilities, on the basis of equity, and shall take into account the polluter pays principle, historical responsibilities for emissions and developing countries' right to development.

Alternative 2:

The generation of financial resources shall be guided by the principles of the Convention, in particular the principles of equity and common but differentiated responsibilities and respective capabilities, taking into account the ability to pay and greenhouse gas emissions.

Alternative 3:

The generation of financial resources [shall][should] be guided by agreed objective criteria, the principles of common but differentiated responsibilities and respective capabilities, the economic capacity of Parties and the objective of internalizing appropriate climate change costs.

16. [Chapeau]

Alternative 1:

New and additional financial resources [shall][should] be generated through a combination of various sources, including, inter alia:

Alternative 2:

Funding for the Multilateral Fund for Climate Change (*defined below in para. 56, Option 3*) shall be provided by the following sources:

Option 1

Alternative 1:

An assessed contribution from developed country Parties based on the principles of equity, common but differentiated responsibilities, respective capabilities, GDP, GDP per capita, the polluter pays principle historical responsibility of Annex I Parties, historical climate debt, including adaptation debt, amounting to [[0.5–1][0.8][2] per cent of gross national product] at least [0.5–1 per cent of GDP].

Alternative 2:

Contributions from all Parties, based on a contribution formula developed by the COP.

Alternative 3:

An assessed contribution, by all Parties except LDCs, updated on a regular basis based on an agreed set of criteria reflecting the ability to pay and greenhouse gas emissions.

Option 2

Alternative 1:

The auctioning of [X] per cent of assigned amount units of Annex I Parties at international level.<sup>3</sup>

Alternative 2:

The auctioning of assigned amount units under the Copenhagen Agreement at international level.<sup>4</sup>

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<sup>3</sup> Some proposals suggest that a percentage of these resources be used to provide funding for adaptation.

<sup>4</sup> Some proposals suggest that a percentage of these resources be used to provide funding for adaptation.

Alternative 3:

A mechanism for financing climate change actions by monetizing emission allowances through auctioning is hereby established.

This financial mechanism implies that a certain proportion of the total number of emission allowances under the Copenhagen Agreement is held back and auctioned at the international level.

The auctioning will generate revenue that shall be used to assist developing countries in implementing climate change actions.

Revenue generated by this mechanism will contribute to the fulfillment of financial obligations under the Convention of those countries taking on quantified emission reduction commitments.

The scope of this mechanism is to provide financial resources for

- (a) Adaptation
- (b) REDD
- (c) Capacity building

The Conference of the Parties shall determine the quantity of allowances to be auctioned at its [sixteenth] session for the period [.....] to support each financial need referred to in paragraph x.

In order to provide predictable funding, the method for determining the quantity to be auctioned may factor in price fluctuations in emission allowances. The quantity could be determined on the basis of a number of allowances, a fixed percentage of the total amount or a predefined revenue requirement or a combination of these methods.

The Conference of the Parties shall adopt further principles, modalities, rules and guidelines for the functioning of this financial mechanism at its [sixteenth] session, including adopting procedures for the determination of the quantity to be auctioned for subsequent periods.

## Option 3

Alternative 1:

A uniform global levy of USD 2 per tonne of CO<sub>2</sub> for all countries with per capita emissions higher than [1.5][2.0] tonnes of CO<sub>2</sub>; the LDCs shall be exempt.

Alternative 2:

Taxes on carbon-intensive products and services from Annex I Parties.<sup>5</sup>

## Option 4

Alternative 1:

Emissions from international aviation and maritime transport for journeys between developed countries may be auctioned through emission allowances under an international regulation scheme.

Alternative 2:

A share of the proceeds from measures to limit or reduce emissions from international aviation and maritime transport.

Alternative 3:

Funding from instruments that address emissions from international aviation and maritime transport.

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<sup>5</sup> Some proposals suggest that this option be used to provide funding for adaptation and/or technology cooperation.

Option 5

Alternative 1:

An international adaptation levy on airfares, except on journeys originating from or destined for LDCs.

Alternative 2:

An international adaptation levy on airfares, except on journeys originating from LDCs and SIDS.

Alternative 3:

A share of the proceeds from measures to limit or reduce emissions from international aviation and maritime transport.

Option 6

Alternative 1:

A share of the proceeds, [an appropriate level to be determined by the COP] [2][3–5] per cent on the CDM and extend the share of the proceeds of [2] [4] [8] [10] [12] per cent on joint implementation and emissions trading and extend share of proceeds to new sectoral market mechanisms, extended to other carbon market transactions and other compliance-linked carbon market mechanisms.<sup>6</sup>

Alternative 2:

A share of the proceeds of [2][3–5] per cent on CDM and [2][4][8][10] [12] per cent on [joint implementation and emissions trading][market-based mechanisms under the Kyoto Protocol].

Option 7

A [global] levy of 2 per cent on international financial market [monetary] transactions to Annex I Parties.

Option 8

Agreed penalties or fines on non-compliance of developed country Parties with their commitments to reduce emissions and provide support in the form of financial resources, technology transfer and capacity-building.<sup>7</sup>

Option 9

Alternative 1:

Mobilization of additional international resources may include additional contributions by developed country Parties over and above the assessed contributions, contributions from philanthropic organizations and innovative sources of finance – including implementation of the principle, external debt swap/relief for sustainable development of developing countries, special drawing rights for sustainable development and carbon market finance driven by more ambitious reduction commitments of developed countries.

Alternative 2:

Carbon market finance and private investment, leveraged as appropriate by domestic policy frameworks and targeted public funds.

Alternative 3:

A mechanism for financing mitigation actions whereby a certain proportion of the total number of emission allowances under the Copenhagen Agreement is held back in a set-aside reserve.

5. Funding activities (Proposal for additional subheading)

17. The funding shall be used to enhance actions on adaptation, mitigation, and technology development and transfer, as well as related capacity-building.

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<sup>6</sup> Most proposals suggest that this option be used to provide funding for adaptation.

<sup>7</sup> Some proposals suggest that this option be used to provide funding for adaptation.

The financial mechanism shall fund the following:

- (a) The agreed full costs for the preparation of national communications of developing country Parties;
- (b) The agreed full incremental costs incurred by developing country Parties of implementing measures covered by Article 4.1 of the Convention, including for the transfer of technology, for, inter alia, the following:
  - (i) Mitigation;
  - (ii) The deployment and diffusion of low-carbon and environmentally sound technologies (ESTs);
  - (iii) The research and development of technologies;
  - (iv) Capacity-building for mitigation and adaptation actions;
  - (v) The preparation of national action plans and their implementation;
  - (vi) Patents;
  - (vii) Adaptation in accordance with Article 4.4 and 4.9 of the Convention;
  - (viii) Any other funding decisions as may be determined by the COP.
- (c) Funding for the development and transfer of technology as a means of implementation shall be used for, inter alia, technology development, deployment and transfer, capacity-building and risk management, including insurance. It will also financially cover the implementation of action programmes developed under the Convention, such as NAPAs and TNAs, and other programmes that may be identified in the financial needs assessment project under the Convention.

6. Institutional arrangements, including funds][Institutional structure]

18. Institutional arrangements for the operation of the financial architecture shall have the following functions, inter alia:

- (a) Assessing the financial resources required for the fulfilment of this Agreement;
- (b) Ensuring the effective use of resources, including those generated under paragraphs x;
- (c) Coordinating financial resources, including those generated under paragraphs x for the fulfilment of this Agreement;
- (d) Measuring, reporting and verifying]/monitoring and reviewing.

19. The institutional arrangements shall be periodically reviewed to assess its fulfilment of these functions.

20. The institutional arrangements for the operationalisation of an effective mechanism<sup>8</sup> under the COP in accordance with Article 11 of the Convention defining the financial mechanism entails the following:

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<sup>8</sup> Another formulation proposed is “framework”.



Option 1

21. The COP, as the supreme body of the Convention, shall exercise its authority over and provide guidance to the financial mechanism, and shall decide on its operation and on the policies, programme priorities and eligibility criteria for financing purposes.
22. The COP shall appoint a board,<sup>9</sup> which shall function under the authority and guidance of and be accountable to the COP, to manage the financial mechanism and the related facilitative mechanism, funds and bodies, which shall have an equitable and balanced representation of all Parties within a transparent system of governance, to address all aspects of the means of implementation for developing countries, for both adaptation and mitigation.
23. The role and remit of the COP in the modalities and procedures of such a mechanism must be clear, including the setting of operational guidelines, the election of executive board members, approval of final budgets, and audit process or verification.
24. The Board shall be assisted by a dedicated secretariat of professional staff contracted by the Board.
25. The COP and the Board shall establish, manage and supervise current funds, specialized funds and funding windows to fund projects, programmes and actions aimed at mitigation, adaptation and technology transfer that are under its governance, and a mechanism to link various funds. These funds shall include:

1. *An Adaptation Fund:*

Alternative 1:

The Convention Adaptation Fund shall be established to provide new, additional and predictable financial resources to developing countries that are particularly vulnerable to climate change, especially small island developing States and least developed countries, to assist them in meeting the full costs incurred in adapting to the adverse impacts of climate change.

The Convention Adaptation Fund shall:

- (a) Fund the implementation of national and regional adaptation plans and strategies, and concrete adaptation projects and strategies, including those contained in national communications;
- (b) Fund the implementation of the activities and actions identified by the Adaptation Committee (AC),<sup>10</sup> and all other relevant processes under the Convention;
- (c) Have a multi-window mechanism to address loss and damage, including solidarity funds, rehabilitation and compensatory components, and insurance mechanisms, including microinsurance [as well as negative impacts from response measures].

The Convention Adaptation Fund shall function under and be accountable to the Financial Mechanism<sup>11</sup> under the Convention.

It shall be managed by a geographically balanced and representative Governing Board comprising three members from the five United Nations regional groups, two members from small island developing States and two members from the least developed countries.

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<sup>9</sup> Other formulations proposed are “Executive Body”, “International operating entity” and “governing council”.

<sup>10</sup> An Adaptation Committee as proposed by AOSIS.

<sup>11</sup> The Financial Mechanism as proposed by the Group of 77 and China.

In deciding on its policies and procedures, the Board shall ensure that the Convention Adaptation Fund adheres to the principles of sound financial management and transparency.

The Convention Adaptation Fund shall be operationalized no later than the sixteenth session of the Conference of the Parties.

Alternative 2:

A multilateral adaptation fund for low and medium income countries shall be established, with revenues partly channelled into national climate change funds to finance national climate change policies according to the country's specific needs and legal framework. The multilateral adaptation fund will provide funding for a prevention pillar and an insurance pillar.

2. *A Multilateral Climate Technology Fund*<sup>12</sup>:

26. A Multilateral climate technology fund shall be established to support the implementation of the technology mechanism for the provision of technology-related financial resources on a grant or concessional basis to enable the wide diffusion of environmentally sound technologies in developing countries.

27. The fund shall meet the full costs of activities such as technology R&D and demonstration of technology, capacity-building, technology needs assessments, know-how and information, and construction of policy instruments.

Alternative 1:

The fund shall be used to implement the development, deployment, diffusion and transfer of technologies by meeting the agreed full incremental costs of, inter alia, licensing IPRs, and the deployment and diffusion of technologies in developing countries.

Alternative 2:

The fund shall be used as a catalyst to provide stakeholders with incentives to implement the development, deployment, diffusion and transfer of technologies by meeting the full incremental costs of, inter alia, the deployment and diffusion of technologies in developing countries.

3. *A global fund to support a global-feed-in-tariff programme:*

28. A global fund shall be established to support a global feed-in tariff programme, providing guaranteed purchase prices, over and above the retail energy price in developing countries, of energy from renewable sources including wind, solar PV, concentrated solar power, geothermal power, hydropower and other sources, to the producers of such energy in developing countries for a period of 20 years. The Global Fund shall aim at both inducing a shift to renewable energy without compromising development momentum in developing countries, and achieving economies of scale and a sustained reduction in the costs of generating renewable energy.

4. *A Special Fund:*

29. A special fund shall be established:

- (a) For the economic and social consequences of response measures (para. 1 (b) (vi) of the Bali Action Plan);
- (b) To assist countries whose economies are highly dependent on income generated from the production, processing and export, and/or on consumption of fossil fuels and associated energy-intensive products (Article 4.8(h) of the Convention).

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<sup>12</sup> Another formulation proposed is "a multilateral technology acquisition fund".

5. *A Mitigation Fund;*
  6. *A Capacity-building Fund;*
  7. *A Technology Risk Facility to assist technologies from demonstration to commercial maturity;*
  8. *A Venture Capital Fund for start-up finance;*
  9. *A Technology Grant programme for the research and development of new technologies;*
  10. *A Climate Insurance Fund;*
  11. *Other funds as required.*
30. Modalities for determining the role of existing funds and entities for the operation of the mechanism shall be developed.
31. Funds will be administered by a Trustee or Trustees that have been selected through a process of open competitive bidding among reputable pre-qualified institutions.
32. Each of the funds and funding windows shall be:
- (a) Advised by an expert group or committee, which could also be supported by a technical, scientific advisory and monitoring and evaluation panel or panels addressing specific issues identified by the Board;
  - (b) Assisted by a independent specialized thematic assessment unit or panels, comprising experts and specialists, to carry out the relevant assessments for the disbursement of funds to the designated national entities under their respective specialized funding windows. These thematic assessment units shall be under the authority of the Executive Board and, together with the professional secretariat of the Executive Board, shall constitute the operating entity of the Financial Mechanism.
33. To ensure transparent and efficient governance, other possible components of the structure shall include representatives of all participant countries, contributors and beneficiaries, grouped in a balanced manner, a consultative/advisory group all relevant stakeholders and an independent assessment panel.
34. Developing country Parties [shall][should] establish and/or strengthen national coordinating bodies to address all aspects of the means of implementation, including strengthening the institutional capacity of national focal points and all stakeholders, including subnational and local governments.
35. The coordinating bodies shall be the national focal points for supporting the implementation of climate change projects and programmes that have received technology, finance and capacity-building assistance from developed country Parties in line with those Parties' commitments under Article 4 of the Convention.
36. In achieving its objectives, national coordinating body shall:
- (a) Ensure national ownership of and commitment to NAMAs that are to be registered internationally;
  - (b) Ensure proper assessment of the financial, technological and capacity needs of NAMAs and national adaptation measures;
  - (c) Mobilize, coordinate with and involve existing in-country mechanisms;

- (d) Facilitate the development of national expertise on adaptation and mitigation;
- (e) Coordinate climate change funding, technology transfer and capacity-building requirements, including by identifying and prioritizing needs and guiding the preparation of proposals;
- (f) Harness synergy across thematic activities and facilitate exchange of experience and good practice;
- (g) Identify stakeholders for direct access to financial assistance.

37. The national coordinating bodies shall act as the direct channel of access between developing country Parties and the board, shall approve funding for projects, programmes and actions, subject to the guidelines and procedures established by the specialized thematic assessment units approved by the Executive Board and the COP.

38. The administrative costs of national coordinating bodies established for this purpose shall be covered by international financial resources made available specifically for this purpose. A separate pool of funding to finance national coordinating bodies through an item in the secretariat's budget shall be established.

39. The designated national funding entities could also accept contributions directly, as per guidelines agreed by the COP, from and facilitate linkages with other private or national, regional, sub-regional, international bodies and/or stakeholders that may seek to implement actions relating to mitigation, adaptation and technology transfer and related activities directly.

40. A transparent, efficient and competitive procurement regime with conditionalities limited to those warranted by prudent fiduciary norms and the MRV regime foreseen under decision 1/CP. 13 should characterize funding from the Financial Mechanism established under the Convention.

41. Manage a certification and registry system for receiving, delivery of and deploying financial resources to enable developing country Parties to count financial contributions and technology support from developed country Parties towards compliance of their commitments under Article 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention and under paragraph 1(b) (ii) of decision 1/CP. 13. Financial resources will be made available to support an effective system to measure, report and verify the support provided by developed countries.

42. The Executive Board shall report annually to the COP on matters related to a proposed fund.

43. The Executive Board of the Financial Mechanism, with the approval of the COP, shall institute suitable external independent oversight as well as internal monitoring and evaluation of the management and operation of the Financial Mechanism established under the Convention.

44. The resources of the Financial Mechanism established under the Convention shall be used to meet the costs associated with the functioning of the Executive Board, the secretariat and the thematic assessment units, subject to the approval of the COP.

45. The Executive Board, established to govern and manage the financial mechanism shall determine the allocations for mitigation and adaptation, to be periodically reviewed, taking into account the historical imbalances in and the urgency of funding for adaptation.

#### Option 2

46. Institutional arrangements for enhancing the implementation of Article 11 of the Convention, through finance, technology and capacity-building, shall include:

47. The creation of a Financial and Technology Mechanism meant to ensure the full, effective, and sustained implementation of the Convention, in relation to implementation of commitments for the provision of financial resources. This is mandated under Articles 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention in accordance with Article 11, defining the financial mechanism under the Convention.

48. The Financial and Technology Mechanism shall address all aspects of cooperation on technology research, development, diffusion, and transfer in accordance with Articles 4.1(c), 4.3, 4.5 and other relevant articles of the Convention, in order to enable mitigation and adaptation under the relevant paragraphs of decision 1/CP.13.

49. The basic architecture of the Financial and Technology Mechanism under the Convention will comprise two pillars, one on adaptation and the other on mitigation.

50. An Executive Body on Finance and Technology for Adaptation (EBFTA), accountable to the COP, shall be established. The EBFTA shall have, inter alia, the following functions:

- (a) To organize, coordinate, monitor and evaluate the implementation of the comprehensive framework for adaptation, including the enabling means of financing, technology and capacity building;
- (b) To guide and supervise the disbursement of the Adaptation Fund to be created under the Convention<sup>13</sup>;
- (c) To coordinate disbursements from the Adaptation Fund according to the needs as indicated in national plans for adaptation submitted by developing countries to the EBFTA;
- (d) To provide financial and technical support, upon request by developing countries, for the elaboration of national plans for adaptation;
- (e) To manage a certification system for receiving financial resources in compliance with the financial commitments of developed country Parties under Article 4.3 of the Convention;
- (f) To articulate technology transfer and financing mechanisms under the Convention with other United Nations organizations, multilateral financial institutions established under bilateral or multilateral development programmes and other relevant international forums not directly related to climate change, with the assistance of technical panels to be created.

51. The EBFTA will be supported by four technical panels on research and development; capacity- building; transfer of technologies for adaptation; and observation systems and information management. The technical panels shall comprise government representatives elected by the COP with balanced regional representation, who are experts on matters related to each of the technical panels, and be open to input from other experts in order to ensure transparent and efficient governance.

52. An Executive Body on Finance and Technology for Mitigation (EBFTM), accountable to the COP, shall be established. The EBFTM shall have, inter alia, the following functions:

- (a) To organize, coordinate, monitor and evaluate the implementation of the comprehensive framework for mitigation, including the enabling means of financing, technology and capacity-building.

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<sup>13</sup> Further provisions on the Adaptation Fund to be provided by the proponent of the proposal.

- (b) To govern a Mitigation Fund to be created under the Convention.<sup>14</sup>
- (c) To coordinate disbursements from the Mitigation Fund according to the needs as indicated in NAMAs submitted by developing countries to the EBFTM.
- (d) To provide financial and technical support, upon request by developing countries, for the elaboration of NAMAs.
- (e) To coordinate disbursements from the Mitigation Fund according to the needs for REDD plus activities as requested by developing countries.
- (f) To provide financial and technical support, upon request by developing countries, for the preparation of REDD plus activities.
- (g) To coordinate with regional development banks concessional loan arrangements for the private sector in developing countries for the implementation of specific mitigation activities.
- (h) To manage a registry and certification system for receiving financial resources in compliance with the financial commitments of developed country Parties under Article 4.3 of the Convention.
- (i) To articulate technology transfer and financing mechanisms under the Convention with other United Nations organizations, multilateral financial institutions established under bilateral or multilateral development programmes and other relevant international forums not directly related to climate change, with the assistance of technical panels to be created.

53. The EBFTM will be supported by five technical panels: research and development; capacity-building; transfer of technologies for mitigation; REDD plus, and market mechanisms. The technical panels shall comprise government representatives, elected by the COP with balanced regional representation, who are experts on matters related to each of the technical panels, and be open to input from other experts.

54. Technical Panels:

- (a) Both technical panels on Research and Development (TPRDA and TPRDM) shall, inter alia, coordinate multilateral technology research, development and demonstration programs and provide appropriate support to developing country parties through North-South and South-South cooperation schemes, and promote joint ventures to accelerate deployment, diffusion and effective transfer of technologies.
- (b) Both technical panels on capacity-building (TPCBA and TPCBM) shall organize, coordinate, monitor, evaluate and retrofit the implementation of capacity building activities for adaptation and mitigation and the respective financing and technology development and transfer, in developing countries. TPCBs shall also provide information and views on the fulfilment of support commitments for capacity building by developed countries. The TPCBs shall create mechanisms for sharing lessons learned and promote south-south cooperation, as well as for the dissemination of successful capacity-building activities in developing countries.
- (c) Both technical panels on transfer of technologies (TPTTA and TPTTM) shall, inter alia, provide advice and recommendations to the Executive Bodies on Finance and

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<sup>14</sup> Further provisions on the Mitigation Fund to be provided by the proponent of the Proposal.

Technology on the overall implementation of technology; promote communication and information/knowledge sharing; monitor and assess the performance and progress of technological research, development, demonstration, diffusion, and deployment, using performance indicators, and report to the COP. In addition, these technical panels shall prepare reviews on existing technologies, including information on estimated costs, risks, benefits and limitations, taking into account the circumstances of the host Party.

- (d) The Technical Panel on Observation Systems and Information Management (TPOSIM) shall, inter alia, organize, coordinate, monitor, evaluate and retrofit the implementation of systematic observation and information management (including data collection and archiving, analysis, modeling, downscaling and dissemination) activities for adaptation in developing countries. The TPOSIM shall also create mechanisms for sharing lessons learned and promoting south-south cooperation, as well as for the dissemination of successful systematic observation and information management activities for adaptation in developing countries.
- (e) The Technical Panel on REDD plus (TPREDD plus) shall, inter alia, determine methodologies for reference levels, support enhancement of REDD plus project activities within countries and other general methodological issues.
- (f) The Technical Panel on Market Mechanisms (TPMM) shall, inter alia, organize, coordinate, monitor, evaluate, and retrofit the implementation of mitigation activities in developing countries, which are carried out under the market mechanisms. The TPMM will deal with issues such as country-specific sectoral baselines, additionality, monitoring and verification plans, registration of mitigation activities and actions, issuance of credits, etc.
- (g) In addition, an MRV Panel to be created under the COP shall be responsible for establishing methodologies for MRV, measuring, reporting and verifying mitigation actions and the support received, as required by paragraph 1.(b)(ii) of decision 1/CP.13, and keeping records of mitigation and adaptation activities implemented by developing countries with their own resources.

55. The UNFCCC secretariat shall support and facilitate the activities of the EBFTA, EBFTM and the technical panels.

#### Option 3

56. A Multilateral Fund for Climate Change is hereby established.

57. The purpose of the Multilateral Fund for Climate Change is to establish, administer and deploy substantial and predictable sources of funding to support actions prescribed within this agreement.

58. The Multilateral Fund for Climate Change shall be subject to the authority and guidance of the COP (or Conference of the Parties serving as the assembly of Parties) and be supervised by a Board.

59. The constituency of the Board shall be determined by the Conference of Parties serving as the assembly of Parties and be guided by the principle of equitable geographical representation.

60. The Board of the Multilateral Fund on Climate Change shall regularly report to the COP (or the Conference of Parties serving as the assembly of Parties).

61. The secretariat of the Convention shall service the Multilateral Fund for Climate Change Fund and its Board.

62. The Multilateral Fund for Climate Change shall have five discrete funding windows:

- (a) A Mitigation Window;
- (b) A REDD Window;
- (c) An Adaptation Window;
- (d) An Insurance Window;
- (e) A Technology Window

63. The COP (or the Conference of Parties serving as the assembly of Parties) shall determine the proportion of funding that shall be allocated to each funding window and shall give priority to funding for adaptation.

64. The Board of the Multilateral Fund for Climate Change shall establish technical advisory panels for each of the funding windows.

65. The purpose of the technical advisory panels shall be to, inter alia:

- (a) Identify sources of funding;
- (b) Identify priorities for funding;
- (c) Provide assistance to recipient countries in developing project proposals and identify appropriate financial support.

#### Option 4

66. A World Climate Change Fund(WCCF) or green fund is hereby established, constituting by representatives of all participant countries, contributors and beneficiaries, grouped in a balanced and practical way;

67. The country representatives would be from finance ministries or their equivalent;

68. An executive council that will report annually to the COP on matters related to the WCCF and be supported by:

- (a) Three independent counsellors: a scientific counsellor; a counsellor from multilateral development banks; and a counsellor from social organizations;
- (b) A scientific committee to be established in consultation with the IPCC, to recommend policies, programmes and strategies;
- (c) A multilateral banks committee to be administered by an existing multilateral financial institution as identified by the COP.

69. The WCCF shall establish linkages between scaled-up funds for mitigation actions, support efforts on adaptation and provide technical assistance that include financing the national meteorological services particularly in LDCs and SIDs to enhance development and establishing of early warning systems and promote the development , transfer and diffusion of clean technologies;

70. All Parties, with the exception of the LDCs should contribute according to specified criteria;

All Parties could benefit according to specified criteria, except those developed country Parties that elect not to do so;



71. Once its operations stabilize, the WCCF could establish functional connections with existing or potential carbon units, such as those from carbon market mechanisms under a post-2012 agreed outcome and mechanisms established under the Kyoto Protocol.

Option 5:

72. Make efficient and effective use of current institutions, including the GEF, LDCF, SCCF, multilateral development banks, specialized United Nations institutions and other existing funds, with financial support provided by developed country Parties and availed of by developing country Parties through bilateral, regional and other multilateral channels, in accordance with Article 11.5 [with a robust system of measurement, reporting and verification of financial resources provided through these channels]. The Meeting of the Parties to the Copenhagen agreement and all Parties are requested to take the principles laid down in paragraph x of this Agreement into account in their interaction with relevant institutions in pursuit of the objectives of this Agreement, in particular by enhancing existing funds under the Convention and the Kyoto Protocol.

Option 6

73. Establish means to, inter alia, draw on public-private-sector expertise; recommend steps intended to mobilize domestic and international financing from a variety of domestic, bilateral, regional, and multilateral sources, including carbon markets; recommend ways to improve the effectiveness and efficiency of the Parties' aggregated efforts to mobilize investment; and address concerns of competition, targeting and overlap of such efforts.

74. *[Issues identified by Parties in the context of paragraphs 20–73 on institutional arrangements above as requiring further elaboration at the appropriate time include modalities for the determination of the role of existing funds and entity/ies for the operation of the financial mechanism].*

## 7. Compliance

75. All Annex I, [Annex II] [and Annex B Parties] shall report on an annual basis, all contributions made. Annual reports of contributions by Parties shall be maintained by the secretariat in a contribution ledger. This ledger shall be maintained on a publicly available link on the secretariat website;

76. A compliance mechanism shall be established to ensure the full implementation of the commitments of Annex I, [Annex II] [and Annex B Parties], for commitments on Articles 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention with reference to their agreed assessed contributions for the provision of financial resources, This body shall:

- (a) Review compliance of [developed country] [Annex I and Annex B][II]Parties with their commitments on the provision of financial resources in a timely and predictable manner and in consonance with the needs identified by the developing country Party ;
- (b) [The Board of the Multilateral Fund shall undertake] Annually review compliance of [developed country]Annex I [ and Annex B][Annex II] Parties with their commitments on the provision of financial resources in a timely and predictable manner[to the Multilateral Fund for Climate Change] and in consonance with the needs identified by the developing country Party and shall make a report to the COP (or the Conference of Parties serving as the assembly of Parties) at its annual meeting;
- (c) Define non-compliance parameters, penalties and fines, or a combination of the two or other as appropriate, and implement parameters and procedures defined by the COP to retrieve funds derived from fines and penalties;
- (d) Impose financial penalties, at a minimum of ten times the market price of carbon, for any emissions in excess of the level implied by the emissions reduction commitment.

Annex V**Enhanced action on development and transfer of technology**

This annex contains text from paragraphs 180–198 (pages 169–196) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1), as reordered and consolidated by the facilitator of the informal group on technology and capacity-building in accordance with the approach agreed by the informal group on technology and capacity-building at the AWG-LCA informal meeting held in Bonn, Germany, in August 2009.

Paragraphs have been renumbered, starting from 1, for ease of reading. Paragraphs can be traced to their origin by using an explanatory table contained in annex V to document FCCC/AWGLCA/2009/INF.2/Add.1. That table also contains the rationale for the consolidation.

Structural proposals:

1) *The technology chapter should be rearranged into two sections in the following order:*

*A section on objectives, scope and guiding principles*

*A section on cooperation on technology research, development, diffusion and transfer for technologies for mitigation and adaptation.*

1. *A subsection on technology needs assessments,*
2. *A subsection on enabling environments,*
3. *A subsection on capacity-building,*
4. *A subsection on technology information,*
5. *A subsection on mechanisms for enhanced cooperative action on technology development, deployment, transfer and diffusion,*
6. *A subsection on cooperative research and development.*

2) *The technology chapter should be rearranged into six sections in the following order:*

1. *A section on preambles,*
2. *A section on objectives,*
3. *A section on guiding principles,*
4. *A section on cooperative action to promote technology needs assessments, technology information, enabling environments and capacity-building,*
5. *A section on cooperative action to promote technology research, development and demonstration and deployment,*
6. *A section on institutional arrangements.*

3) *The technology chapter should be rearranged into seven sections in the following order:*

1. *A section on preamble,*
2. *A section on objectives,*
3. *A section on guiding principles,*
4. *A section on enhanced national capacity,*
5. *A section on cooperative actions on capacity-building and information sharing,*
6. *A section on cooperative actions on research, development and demonstration,*
7. *A section on institutional arrangements.*

4) *Insert a section entitled National and cooperative actions to enhance the development, application and diffusion, including transfer, of technologies, practices and processes.*

*Insert a new subsection entitled Technology action plans/technology road maps.*

Preambular paragraphs

1. [Recognizing the importance to promote and cooperate in the development, deployment, transfer and diffusion of technologies that control, reduce or prevent anthropogenic emissions of greenhouse gases in all relevant sectors under the framework beyond 2012,]
2. [Acknowledging that intensive support for promotion of technology transfer such as identification of technologies to be deployed and matching of companies with of those that own the technologies and of those that require the technologies should be provided to the developing countries that have already taken policy measure, measures on GHG reductions, and made efforts to enhance the business environment to accelerate technology transfer,]
3. [Confirming that in order to achieve the long-term goal, it is essential not only to quickly deploy practically available technologies but also to develop innovative technologies,]
4. [Guided by the principles and provisions of the Convention and the principle of learning by doing and recognizing the existing framework for meaningful and effective actions to enhance the implementation of Article 4.5 of the Convention established under Decision 4/CP.7 and enhanced under Decision 3/CP.13 (the framework for technology development, deployment, diffusion and transfer) along with Articles 4.1(c), 4.5 and 11.5,]
5. [Guided also by the best available science and broad participation of stakeholders at national and local government and community levels,]
6. [Recognizing that climate change poses a serious threat to social and economic development of all Parties and noting that the SIDS and LDCs are particularly most vulnerable to impacts of adverse effects of climate change and that these groups of countries will suffer disproportionately,]
7. [Recognizing also the urgency and the immediacy of the climate change problem the Parties agreed on a legally binding Adaptation Framework as set out in subsequent sections,]
8. [Noting the continuing growth in greenhouse gas emissions, particularly high rate of growth in developing countries,]
9. [Aware that such growth will significantly contribute to increasing concentration level of greenhouse gases in the atmosphere, with serious potential consequence,]

1. [Objectives, scope and guiding principles]

10. [Enhanced action on technology shall build on and enhance the implementation of the existing framework for technology action as described in the Article 4 paragraphs 1 (c), 5 and Article 11 paragraph 5, of the Convention, and decision 4/CP.7 and decision 3/CP.13, and address the gaps in, and to enhance the implementation of Articles 4.1, in particular 4.1 (c), 4.3, 4.5, 4.8, and 4.9, in the context of Article 4.7 of the Convention.]
11. [Developed country Parties shall provide new and additional financial resources, including for the transfer of technology, needed by the Developing country Parties to meet the agreed full incremental costs of implementing such measures.]
12. [Developed country Parties shall take all practicable steps to promote, facilitate and finance, the transfer of, or access to, environmentally sound technologies and know-how to other Parties, particularly Developing country Parties, to enable them to implement the provisions of the Convention.]
13. [Enhanced action on technology must give urgent and equal weight to action on technologies for adaptation in conjunction with action on technologies for mitigation and to ensuring that existing barriers to the diffusion of adaptation technologies are addressed.]
14. [All Parties, taking into account their common but differentiated responsibilities and respective capabilities, shall cooperate to promote the transfer and diffusion of, or access to, technologies and

know-how necessary for supporting the mitigation and adaptation actions taken by developing country Parties.]

15. [The developed country Parties shall promote development of innovative technologies through strengthening international cooperation including sharing roadmaps for technology development.]

16. [Building on the existing framework for technology as described in decision 4/CP.7, and reaffirmed in decision 3/CP.13, in accordance with Articles 4.1(c), 4.5 and 11.5, an] [[An] enhanced [action on technology][ set of short-, medium- and long-term national and international cooperative actions] [technology mechanism<sup>1</sup>][framework for technology][technology action framework] [shall][should] be [established] [developed] [promoted]]][Existing frameworks for technology shall be enhanced] to [[implement the technology transfer provisions][enhance the implementation of Article 4.3, 4.5, and 4.8] of the Convention] [support the short-, medium- and long-term cooperative action on technology [at the national and international level.][support global research, development, diffusion and transfer of climate related technologies]]] and [shall][should] take into account the special needs of all developing countries, particularly low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change.] [The framework of technology] [Enhanced action on technology development and transfer to support action on mitigation and adaptation][and shall][should] [be guided][contain] by the following [[objectives and] principles][elements]:

- (a) [Establish enabling environment for technology transfer, including, according to the IPCC, inter alia, the macroeconomic policy framework: trade and foreign investment policies, financial sector regulation and energy tariffs policies;]
- (b) [Be guided by the provisions of the Convention, particularly Articles 4.3, 4.4, 4.5, 4.8 and 4.9, and] [[B][b]uild on [and strengthen] [existing] activities [under][within] the Convention[, including the work of the Expert Group on Technology Transfer (EGTT), and expand ongoing activities relating to technology] [and under other specialized institutions] and [operate under the [authority] guidance of the COP] and be accountable to it in accordance with relevant provisions of the Convention][ and other efforts on technology development and transfer outside the Convention];

Alternatives to subparagraph (b)

Alternative 1:

[Build on domestic strategies that identify needs and priorities;]

Alternative 2:

[Enhance implementation of the Convention's framework for technology development, deployment, diffusion and transfer;]

[Complement and build on [all relevant] existing [and emerging national and international] technology-related initiatives[, including international and non-governmental organizations];]

- (c) [Address][Consider] all aspects [stages] of the technology [development cycle][spectrum], including R&D, deployment, diffusion[, demonstration] and [transfer] of [affordable] [state of the art] environmentally sound technologies to enable [all Parties, particularly] developing country Parties, to [enhance action on mitigation and adaptation][ to gain access to technologies necessary to address the worst effects of climate change];

<sup>1</sup> Other formulations proposed include a "technology transfer mechanism", "technology facilitative mechanism", "arrangement" and "technology institutional framework".

Alternative to subparagraph (c)

Address all aspects of cooperation on technology research and development cycle, deployment, transfer and diffusion in accordance with Articles 4 paragraph 1(c), 3 and 5 of the Convention, in order to enable mitigation and adaptation as stipulated in decision 1/CP.13 (Bali Action Plan).

- (d) [Wide diffusion of existing technologies similar to scale of information communication technologies;]
- (e) [Promote coherence by [integrating and ]expanding [ongoing activities [inside and outside the Convention] related to technology][catalytic and integrated actions on technology in order to support global mitigation and adaptation responses];]
- (f) Facilitate national actions and international cooperative actions that maximize the full potential of technology to reduce greenhouse gas emissions and build climate resilience;
- (g) [[Aim to] achieve accessibility], [Facilitate the removal of barriers for technology development and transfer,] [affordability, appropriateness] and adaptability of technologies [required][identified][needed] by [all Parties, in particular][developing countries], as appropriate, in order to [[support] [enhance] [their action on mitigation and adaptation] [Articles 4, paragraphs 1 (c) and 5 of the Convention]] [address the worst effects of climate change and to take nationally appropriate action on [mitigation and] adaptation];]
- (h) [[[Aim to] [identify and achieve the removal of][remove]][Address][Serves as a primary vehicle in the] [barriers [for][to] technology development[, deployment] [and][,] transfer] [and diffusion][ to developing countries by reducing tariffs on environmental goods and services and strengthening the IPRs];]
- (i) [[Further] Stimulate the formation and development of [local,] national and international innovation systems [and markets for technologies for mitigation and adaptation], [creating enabling trade and investment environments, [[creating] the creation of favourable investment and enabling environments], and [engaging][prompt] [engagement [with][of]] the private sector];]

Alternative to sub paragraph (i)

[Assist developing countries in building sustainable national regulatory and institutional frameworks that promote the development, deployment and diffusion of environmentally sound technologies;]

- (j) [[Provide for full [agreed] cost and full [agreed] incremental cost, as referred to in Article 4.3 of the Convention.] [In order to implement the framework Parties may avail themselves of resources in accordance with the relevant provisions set out in Article Z];]

Alternative to sub paragraph (j)

[Take into consideration the full incremental costs and benefits of adopting environmentally sound technologies;]

- (k) [[[Take into account the [[important] role] [relevance] of][Rely on developed country Parties'] public finance][ Public finances shall be allocated by the Annex-I Parties] in supporting technology [outcomes, including the needs][R&D] [and] [to leverage private investment] [in the] [demonstration], deployment, diffusion and transfer of technologies [to the developing countries.] [Parties, particularly Annex II Parties, are urged to support R&D, deployment and diffusion of technologies by public/private sector];]
- (l) Recognize the [importance of enabling environments, the engagement of the private sector, and the key roles that the public and private finance will play in the development, deployment, diffusion and transfer of technologies] [role that small and medium-sized

enterprises could play in the success of adaptation and mitigation efforts and in economic development] [and take into account the obstacles they face regarding the development and transfer of technology];

*Additions of new sub paragraphs:*

- (m) Address the unique technology relevant issues specific to SIDS recognizing scale of economies, enabling environments, and geographical remoteness for both adaptation and mitigation.
- (n) Ensure participation of all stakeholders at all levels of decision-making on technology cooperation and sharing, especially women, youth, indigenous peoples and local communities, among others.
- (o) Efforts for enhanced action on technology development, deployment and diffusion should aim at:
  - (i) Reducing greenhouse gas emissions, facilitating low-emission development and contribute to appropriate adaptation, to contribute to the overall objective of the Convention;
  - (ii) Accelerate research, development, diffusion and transfer of environmentally sound technologies among all Parties.
- (p) Improving energy efficiency and environment in upstream and downstream activities relating to fossil fuels.
- (q) Promote diversified energy particularly carbon capture & storage technology.
- (r) Support for the promotion of inward foreign direct investment, labour-intensive exports (manufacturing and services), trade liberalization, competition, access to developed countries' markets and human resource development.
- (s) Support for price and ownership reforms in energy and associated industries.
- (t) Technical assistance for economic diversification.
- (u) Enhance R&D through supporting and improving of existing and establishment of new national and regional centres of excellence working on environment- friendly technologies, in particular in developing countries.
- (v) Support to be prioritized for the least developed and most vulnerable countries.
- (w) Accelerate innovation of environmentally sound and affordable technologies for mitigation and adaptation, in all countries and regions and scale up and speed up deployment and diffusion of environmentally sound and affordable technologies for mitigation and adaptation, especially in developing countries.
- (x) Provide Parties with [pathways to low-emission and climate-resilient technology implementation][a shift to sustainable development paths], promote measures that facilitate technology innovation and diffusion by all Parties, including north-south and south-south and triangular action and contribute to the development of national long-term strategies for low-emission development and climate change adaptation.
- (y) Immediately to ensure that any technology transfer to developing countries is appropriate for the developing countries concerned in order to enable its effective utilization.
- (z) Assess the need for increased global or regional RD&D for targeted technologies, especially those with particular relevance to developing countries, and facilitate activities to address any gaps

- (aa) Reduce or remove tariff barriers to the import and export of renewable energy and energy efficiency technologies as well as environmentally sound adaptation technologies.

2. Promoting [Cooperati[on]ive policies between the developed and developing countries on technology research, development, diffusion and transfer]<sup>2</sup>

*Note: Proposals for the implementation of enhanced action on technology are reflected in this section. In advancing their proposals, Parties in some cases also proposed a governance structure for such action. Such proposals are reflected in paragraphs 45–47 below (196–198 in FCCC/AWGLCA/2009/INF.1).*

Proposed new section entitled National and cooperative actions to enhance the development, application and diffusion, including transfer, of technologies, practices and processes

*National actions*

17. Recognizing that national policies and actions drive technology financing, leverage the private sector, build capacity, create suitable investment conditions, and support technology RD&D, demonstration, deployment, diffusion and transfer, Parties will, in the context of their national strategies, and consistent with their national circumstances:

- (a) Implement actions, consistent with relevant national social, economic, energy and environmental policies, that establish conditions which promote the development, deployment and diffusion of environmentally sound technologies;
- (b) Establish effective enabling environments with policies and regulations, economic instruments, and other related measures to foster technology diffusion;
- (c) Promote private investment and matchmaking, encourage innovative financial mechanisms and reduce market, technology and political risks to private investment in climate technologies;
- (d) Establish national programmes that support common performance standards, testing, verification and certification programmes for technologies for mitigation and adaptation;
- (e) Establish training, information and workforce development programmes to build capacity, including national centres of excellence, to ensure that all market actors understand the costs, performance and benefits of climate change technologies;
- (f) TNAs [to be fully elaborated taking into account the findings of the 2006 TNA review and expanded to cover more in-depth assessments of obstacles in the functioning of relevant technology innovation systems, including detailed assessment of technology capacity and markets. TNAs should also be shared and made publicly available] [to be carried out within the framework of the NAPAs and NAMAs in order to ensure consistency and coherence among the various efforts; TNAs should not constitute a barrier to short-term technology transfer];
- (g) Capacity-building, taking into account the various activities completed or under way on a bilateral or multilateral basis and mainstreamed within an enhanced framework for capacity-building for mitigation and adaptation (decision 2/CP.7);

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<sup>2</sup> Technology cooperation in specific technologies and sectors is reflected in paragraphs 129–131 of revised negotiation text (FCCC/AWGLCA/2009/INF.1).

- (h) Knowledge, technical and other necessary expertise in existing institutions and organizations, including regional centres and networks [shall][should] be developed, used, shared and sustained at regional and national levels;
- (i) Parties should strengthen their national technology research and their national technology research, development and demonstration programmes and provide appropriate support to developing country Parties through, inter alia:
  - (i) Reinforcing North–South, South–South and triangular cooperation with the aim of promoting endogenous technologies of developing countries and prioritizing technologies for mitigation and adaptation that might have high costs but also high potential for GHG mitigation and/or increase resilience to negative impacts of climate change;
  - (ii) Providing opportunities for participation by developing country Parties in joint RD&D programmes for specific technologies and joint - ventures to accelerate deployment, diffusion and effective transfer of technologies;
- (j) Focused voluntary technology-oriented agreements, including on partnerships within and outside the Convention and engaging the private sector and civil society organizations [shall][should] be recognized. Such agreements could include cooperative R&D and large-scale demonstration projects, technology deployment projects, cooperation on specific sectors or gases, and cooperation on climate observation and warning systems for enhancing resilience.

*Cooperative actions*

18. Recognizing that cooperative actions should be conducted and acknowledged that promote the development and deployment of environmentally sound technologies. Parties will engage in cooperative actions, to the extent appropriate and consistent with their national strategies that:

- (a) Strengthen technical and institutional capacity to sustain cooperative technology development, deployment, diffusion and transfer activities including enhancements in policies, standards, information and assessment, and investment programmes;
- (b) Promote greater public and private sector investment in RD&D for targeted EST technology areas through enhanced support for strengthened incentives for private-sector participation in RD&D;
- (c) Promote participation in international programmes that support the development and use of common performance standards, testing, verification and certification programmes.
- (d) Establish international partnerships to advance the development, deployment and transfer of environmentally sound technologies;
- (e) Support, strengthen and expand globally coordinated research programmes and networks or alliances of climate technology research institutes to engage developing countries;
- (f) Capacity-building, taking into account the various activities completed or under way on a bilateral or multilateral basis and mainstreamed within an enhanced framework for capacity-building for mitigation and adaptation (decision 2/CP.7);]
- (g) Knowledge, technical and other necessary expertise in existing institutions and organizations, including regional centres and networks [shall][should] be developed, used, shared and sustained at regional and national levels;



- (h) Parties should strengthen their national technology research and their national technology research, development and demonstration programmes and provide appropriate support to developing country Parties through, inter alia:
  - (i) Reinforcing North–South, South–South and triangular cooperation with the aim of promoting endogenous technologies of developing countries and prioritizing technologies for mitigation and adaptation that might have high costs but also high potential for GHG mitigation and/or increase resilience to negative impacts of climate change;
  - (ii) Providing opportunities for participation by developing country Parties in joint RD&D programmes for specific technologies and joint - ventures to accelerate deployment, diffusion and effective transfer of technologies;
- (i) Focused voluntary technology-oriented agreements, including on partnerships within and outside the Convention and engaging the private sector and civil society organizations [shall][should] be recognized. Such agreements could include cooperative R&D and large-scale demonstration projects, technology deployment projects, cooperation on specific sectors or gases, and cooperation on climate observation and warning systems for enhancing resilience.

*[Technology action plan]*

19. [Develop] [A] technology action plan [to serve] [shall be drawn up] [as a starting point] [for the work of the Executive Body] [for the work of a body for the technology mechanism] [for enhanced cooperative action on technology].<sup>3</sup> [It shall aim to accelerate research, development, diffusion and transfer and use of environmentally sound technologies [[among all Parties], [particularly]] [to the developing countries with a view to implementing the Annex I commitments contained in the Convention] [from] [Annex II Parties] [the developed Parties that have commitments under the Convention and the other developed Parties in a position to transfer environmentally sound technologies] [developed country Parties and other developed Parties included in Annex II of the Convention] [to] [non-Annex I Parties] [developing country Parties and other Parties in need of abovementioned activities], in accordance with Article 4.5 of the Convention, in order to support action on mitigation and adaptation [and] [to] promote a shift to sustainable development paths. The technology action plan shall develop an effective strategy to identify and propose specific measures to overcome the economic and technical barriers and to assess the required steps to accelerate research, development and transfer of environmentally sound technologies for both mitigation and adaptation.]

- (a) It will include specific actions and timelines for the first three years, and will be updated for successive three-year periods;
- (b) To realize the full potential of technology, the TAP shall support all stages of the technology cycle, including research, development, demonstration, diffusion, and transfer;
- (c) The TAP will define specific policies, actions and funding requirements for all relevant technologies under the following classifications: public domain technologies, patented technologies and know-how, future technologies;
- (d) The establishment of national and regional technology centres of excellence to reinforce north–south, south–south and triangular cooperation, including joint research and development (details can be annexed to the legal/agreed outcome).

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<sup>3</sup> This proposal is presented in the context of proposals to establish an executive body on technology and a multilateral climate technology fund reflected in paragraphs 46, option 2, below.

20. [To realize the full potential of technology,] the action plan shall support all stages of the technology development cycle, [including technology research and invention through scientific and technical cooperation, technology development, technology transfer and diffusion,] [and [articulate] [linked] with the financial mechanism of the Convention in order to [secure] assist with obtaining the necessary financing] [and ensure that financing for technology transfer, including all available means to ensure the affordability of technologies, products and related services, is available].

21. [The action plan [shall][should] include specific policies, actions, institutional arrangements and funding requirements for existing and emerging [technologies in the public domain, patented technologies and [future]] [IPRs protected] technologies to be developed in the future. The plan shall also include clear actions for the first three years, and be reviewed after every [updated for successive] three-year periods in light of lessons learned.] This should also include: public domain technologies and future and innovative technologies.]

22. Parties should promote the development of innovative technologies and strengthen international technology cooperation, including through the formulation and sharing of national technology road maps as part of the technology action plans. Such road maps should include:

- (a) Identification of technological options for specific sectors;
- (b) [Identification of] obstacles to the development and transfer of identified technological options;
- (c) Policy instruments and infrastructure required for the deployment, diffusion and transfer of identified technological options;
- (d) Capacity-building needs;
- (e) Opportunities for joint technology R&D between developed and developing countries.]

*[Technology action plans/technology road maps:]*

23. Parties shall promote the development of innovative technologies and strengthen international technology cooperation, including through the following actions:

- (a) A series of prioritized technology action plans shall be developed to, inter alia, identify the potential for the technology to contribute to global, regional or national mitigation and adaptation responses, identify the gaps and barriers to commercial maturity and recommend further actions that may be required to realize this potential;
- (b) Technology action plans shall be informed and supported by comprehensive [global] technology road maps [to provide an overview of what needs to be done to promote wider and more rapid development and deployment of key technologies for mitigation] which shall identify:
  - (i) The current state of development for the technology;
  - (ii) Key stakeholders and relevant existing and emerging efforts contributing to the development of the technology;
  - (iii) Gaps and barriers to commercial maturity;
  - (iv) Opportunities for collaborative effort between developed and developing countries, including their respective private sectors;

- (c) Technology action plans and technology road maps will build on and work collaboratively with other relevant international and national efforts and institutions to maximize efficiency of effort and avoid duplication.]

*[Technology needs [assessments], enabling environments, [and] capacity-building, technology information, and mechanisms for enhanced cooperative action on technology development, deployment, transfer and diffusion] [Enhanced national capacity] [Cooperative action to promote technology needs assessment, technology information, enabling environments and capacity-building]*

24. [Cooperation on technology [Technology outcomes] [shall][should] be enhanced by the following [elements] [catalytic actions]:

*Technology needs assessments*

25. [TNAs] [to be fully elaborated taking into account the findings of the 2006 TNA review and expanded to cover more in-depth assessments of obstacles in the [access to, development and transfer of] [functioning of] relevant technology innovation systems, including detailed assessment of technology capacity, barriers and markets. TNAs] should [continue to [also] be [shared and] made publicly available] [and] [could] [to] be carried out within the framework of the [NAPAs], [and] NAMAs and other relevant reports and information including national communications in order to ensure consistency and coherence among the various efforts; [TNAs should not constitute a barrier to short-term technology transfer to the developing country Parties.]; [Technology road mapping exercises that identify, inter alia, opportunities for partnerships, as well as obstacles to technology development and deployment, could constitute an element of TNAs;]

Alternative to paragraph 25:

[A single process will be carried out to identify technology needs (TNAs), [which could include] nationally appropriate mitigation actions (NAMAs)[, NAPAs,] and [long-term planning for achieving low-emission development] [which should be integrated into national low-emission development strategies and which could include NAMA/NAPA processes and the use of country-specific technology development plans]. [This process will result in preparation of a national low-emission development strategy, as described in Article X, paragraph Y.] This single document should contain an in-depth assessment of [obstacles in] [national barriers to] the functioning of relevant technology innovation systems, including detailed assessment of technology capacity and markets. Assessment of technology needs for adaptation, and barriers to the deployment of these technologies, should be carried out in the context of climate-resilient development, as described in Article P, paragraph Q.] [Action to enhance national capacity on technology shall include the following elements:

- (a) Developing countries shall be assisted in completing Technology Needs Assessments, integrated with national low-carbon development strategies. TNAs should include, inter alia, in-depth assessments of national barriers to technology deployment and diffusion, capacity for technology adoption and related capacity-building needs as well as relevant market conditions;
- (b) [Enhancement of the TNA process to support full participation by all developing countries, ][TNAs to be fully elaborated] taking into account the findings of the 2006 TNA review[, the revision of the TNA handbook and lessons learned in the field testing and early implementation phases,] and expanded to cover more in-depth assessments of obstacles in the functioning of relevant technology innovation systems, including detailed assessment of technology capacity and markets. TNAs should also be shared and made publicly available and be carried out within the framework of the NAPAs and NAMAs in order to ensure consistency and coherence among the various efforts;

- (c) Priority areas shall be identified sector by sector and technology by technology. For the most GHG-intensive sectors, nationally appropriate deployment schemes should be developed within the context of TNAs and low-emission development strategies, taking into account specific barriers for technology deployment in these sectors.]

#### *Enabling environments*

26. [Enabling environments] [which create the conditions conducive to private and public sector technology development, deployment, transfer and diffusion] [– technology-specific policies and measures with both adaptation and mitigation benefits [need to] [should] be defined [[/strengthened] and implemented]. Policies and measures [should] [may] include deployment schemes for adaptation measures and [low-greenhouse gas emission technologies] measures to address barriers to technology development, deployment and diffusion, and technologies for adaptation [and national energy and climate policies]];

#### *Capacity building*

27. Capacity-building, also taking into account the various activities completed or under way on a bilateral or multilateral basis [and in accordance with the capacity-building theme articulated in decision 4/CP.7 and 3/CP.13, as well as the framework for capacity-building in developing countries (decision 2/CP.7)] [and mainstream[ed]ing within an enhanced framework for capacity-building for mitigation and adaptation [(decision 2/CP.7)]], under the Convention; capacity-building activities should be guided by the Convention. Capacity-building needs should be identified and delivered in the overall context of support for mitigation and adaptation;

28. [Information to support actions that enable technologies for mitigation and adaptation,] knowledge, technical and other necessary expertise in existing institutions and organizations, including local and subnational authorities, existing regional centres and networks [shall][should] be developed, strengthened, used, shared and sustained at regional and national levels.]

#### *Proposed the following paragraph under new section entitled Cooperative actions on capacity-building and information sharing:*

29. A programme for capacity-building for accelerated technology development, deployment and diffusion in developing countries shall be developed. This programme for capacity-building should include the following elements, [taking into account the various activities completed or under way on a bilateral or multilateral basis and mainstreamed within an enhanced framework for capacity-building for mitigation and adaptation (decision 2/CP.7)];:

- (a) Analyses, information, training activities and advice on development and implementation of relevant policies, institutional and regulatory frameworks that promote the development and use of environmentally sound technologies;
- (b) Advice and support for the development and implementation of national technology deployment schemes;
- (c) Advice and technical assistance to developing countries in order to facilitate increased private investment in key GHG emitting sectors, including advice on the establishment of public–private partnerships for promoting environmentally sound technologies;
- (d) Knowledge, technical and other necessary expertise in existing institutions and organizations, including regional centres and networks [shall][should] be developed, used, shared and sustained at regional and national levels;

- (e) [Advice and support for the identification of] policy instruments and infrastructure required for the deployment, diffusion and transfer of identified technological options.

30. Parties shall promote the accelerated penetration of cost-effective technologies in non Annex-1 countries through pilot projects which strengthen their capacity to develop specifications for these applications which are appropriate to national circumstances, and create human resources necessary for the design, implementation, and operation and maintenance of these applications.

*Technology road maps*

31. [In accordance with their respective commitments in the Convention, the [Parties [shall][should] promote and support the development of innovative and climate friendly technologies and [strengthen international technology cooperation,] including through the formulation and sharing of national technology road maps. Such road maps [shall][should] [include] be consistent with TNA and should in accordance with Article 4, paragraph 5, of the Convention [include]:

- (a) National needs assessment;
- (b) Identification of technological options for [specific] [all] sectors[ and all gases];
- (c) Improved understanding on the role of oceans on climate change and vice-versa, and its effects on marine ecosystems, marine biodiversity and coastal communities, especially in developing countries and small island states; including marine scientific research and sustained integrated ocean observatory systems;
- (d) [Removing] [Identification of] [obstacles] [barriers] to the development, deployment, diffusion and transfer of [win-win technological options such as carbon capture and storage, clean fossil fuel, non-energy use of fossil fuel technologies] of [[identified] technological options];
- (e) Policy instruments and enabling environments infrastructure required for the deployment, diffusion and transfer of identified technological options;
- (f) Capacity-building needs;
- (g) Opportunities for joint technology R&D between developed and developing countries should be paid by developed countries.]
- (h) R&D between developing countries, and triangular cooperation.
- (i) All Parties shall periodically review progress and identify areas where international cooperation should be strengthened.]

*[Cooperative actions on research and development]*

32. [[All] [[Developed country] Parties], [in accordance with national capabilities, and other developed Parties included in Annex II of the Convention] [The developed Parties that have commitments under the Convention and the other developed Parties in a position to transfer environmentally sound technologies] [shall][should] [take efforts to] strengthen their national technology research, development and demonstration (RD&D) programmes [and provide appropriate support] [with the aim of a substantial increase of private and public energy-related RD&D compared to current levels, working towards at least a doubling of global energy-related RD&D by 2012 and increasing it to four times its current level by 2020, with a significant shift in emphasis towards safe and sustainable low greenhouse gas emitting technologies, especially renewable energy] [towards] [[to developing country Parties] through], inter alia:]

- (a) [Reinforcing] Enhancing North–South, South–South [and triangular] cooperation, including city to city twinning arrangements, with the aim of promoting technology development taking into account endogenous technologies [of developing [countries][country Parties]] and prioritizing technologies for mitigation and adaptation [towards a goal of bringing down costs and increasing the] that [might] have not only [high costs but also high] potential for GHG mitigation and/or increas[e]ing resilience to the [negative] adverse impacts of climate change;
- (b) Providing opportunities for [all] [participation [by developing country]] [Parties] in joint R&D programmes[, as appropriate] for specific technologies and joint ventures to accelerate deployment, diffusion and effective transfer of technologies [from developed country Parties and other developed Parties included in Annex II of the Convention to developing country Parties] [from developed to developing country Parties], particularly technologies for adaptation [for SIDS,] [small island developing countries, LCDs and Africa ] [for low lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change,] [consistent with the language of the Bali Action Plan and the Convention] [, in the absence of win-win solutions and market intervention].

*[Measures to address intellectual property rights]*

33. [Option 1]

Technology development, diffusion and transfer [shall] be promoted by operating the intellectual property regime. [This process shall also make use of the flexibilities in the IPR regime to][in a manner that encourages development of climate-friendly technologies and simultaneously] [such as compulsory licensing to] facilitates [the][their] demonstration, diffusion and transfer to developing countries. Buy down the cost of technologies to provide the:

- (a) Full cost for LDCs; and
- (b) Partial cost for other developing countries taking into account the ability to pay]

Alternative to paragraph 33:

[Parties shall cooperate to develop and deploy patent sharing and/or intellectual property free renewable energy and energy efficiency technologies.]

34. [Option 2]

Specific and urgent measures [shall] [should] be [instituted in [a] relevant forum[s]][established] [and mechanisms developed] to remove barriers to development and transfer of technologies from [developed][the developed Parties that have commitments under the Convention and the other developed Parties in a position to transfer environmentally sound technologies] to developing country Parties arising from the intellectual property rights (IPR) protection, [including][in particular]:

- (a) [All necessary steps shall be immediately taken in all relevant fora to [mandatorily exclude from patenting] [revoke all existing patents on essential/urgent] [implement compulsory licensing for] [specific] [climate-friendly] [environmentally safe and sound] technologies [in developing countries] [held by Annex II Parties which can be used to adapt to or mitigate climate change][, including those developed through funding by governments or international agencies];]

- (b) [[Pooling and sharing publicly funded technologies and making the technologies available in the public domain at an affordable price] [[Creation of a “Global Technology Pool for Climate Change”] [that promotes] [sharing] [of] [and ensures access to] technologies that can be used to adapt to or mitigate climate change and associated know-how [and trade secrets] to developing countries [including on non-exclusive royalty-free terms] [at an affordable price] [and on terms and conditions that promotes access for developing countries] in order to provide better information service and reduce transaction costs;]]
- (c) [Use to the full flexibilities contained in the Trade Related Aspects of Intellectual Property Rights (TRIPS) including Compulsory licensing to access intellectual property protected technologies, taking into account the example set by decisions in other relevant international forums relating to IPRs, such as the Doha Declaration on the TRIPS Agreement and Public Health;]
- (d) [Parties agree that nothing in any international agreement on intellectual property shall be interpreted or implemented in a manner that limits or prevents any Party from taking any measures to address adaptation or mitigation of climate change, in particular the development and transfer of, and access to technologies; ]
- (e) Adoption of a Declaration on IPRs and Environmentally Sound Technologies in relevant fora to, inter alia, reaffirm the flexibilities in the TRIPS Agreement and enhance the enabling environment for implementing these flexibilities.
- (f) [Preferential pricing] [Differential pricing between developed and developing countries].
- (g) Reviewing all existing relevant IPR regulations in order to provide certain information to remove the barriers and constraints that GHG mitigation technologies are subject to.
- (h) Promoting innovative IPR sharing arrangements for joint development of environmentally sound technologies.
- (i) Limited/reduced time patents on climate friendly technologies.
- (j) [Genetic resources, including germplasms of plant and animal species and varieties that are essential for adaptation in agriculture, shall not be patented by multinational or any other corporations.] [Biological resources including microorganisms, plant and animal species and varieties, and parts thereof that are used for adaptation and mitigation of climate change shall not be patented.]]

35. [Option 3

[LDCs][Countries vulnerable to the adverse effects of climate change] should be exempted from patent protection of climate-related technologies for adaptation and mitigation, as required for capacity-building and development needs.]

36. [Option 4

The Executive Body on Technology (EBT) should establish a committee, an advisory panel, or designate some other body, to proactively address patents and related intellectual property issues to ensure both increased innovation and increased access both for mitigation and adaptation technologies. Such a committee/panel should:

- (a) Actively engage enterprises and institutions in both developed and developing countries;

- (b) Develop a clear framework for evaluating and determining when intellectual property becomes a barrier to international technology research, development, deployment, diffusion and transfer and provide options for corrective action;
- (c) Make recommendations back to the UNFCCC COP or COP/MOP on barriers that may require further actions. ]

*[Incentive mechanism[s] for technology transfer][Cooperative technology deployment]*

37. [The Annex I countries shall institute incentives at the national level notably tax exemption and subsidies for the owner of patented technology with a view to promoting transfer and diffusion of the environmentally sound technologies to the developing countries;]

38. [[An incentive][The existing] [mechanism][s] [for technology transfer] [for enhanced cooperative action on technology development, deployment, transfer and diffusion] for mitigation and adaptation via projects/programmes that stimulate accelerated diffusion and transfer of existing and new environmentally safe and sound technologies to developing [countries] [country Parties], in particular a vulnerably countries [shall][should] be [strengthened] [established] [offered] in accordance with Article 4, paragraph 9.]

39. [For the purpose of [meeting its quantified emission limitation and reduction commitments] [meeting its commitments] and requirements for monitoring, reporting and verification, as appropriate, [a Party] [any Party included in Annex II] may transfer to, or acquire from, [other Parties] [any other such Party] emission reduction units resulting from projects [and programmes that accelerate the diffusion or transfer of environmentally sound technologies] [aimed at reducing anthropogenic emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases in any sector of the economy], provided that:

- (a) Host Parties establish technology targets or objectives;
- (b) [Voluntary participation] [Any such project] is approved by [each Party][the Parties] involved;
- (c) Any such project results in [measurable, reportable and verifiable] reductions of GHG emissions by sources or enhancements of removals by sinks [that is additional to any that would otherwise occur];
- (d) The project contributes to the achievement of the technology targets and objectives of the [host] Party in receipt of that technology;
- (e) The [host] Party [providing the technology shall be] [has] allocated assigned amount units or environmentally sound technology rewards (ESTRs) [for] [to] the project or programme, proportionate to volume of emissions removed;
- (f) The project/programme is registered under the Convention;
- (g) Participants in the ESTR mechanism may involve private and public companies;
- (h) It does not acquire any emission reduction units if it is not in compliance with its obligations; and
- (i) The acquisition of emission reduction units shall be supplemental to domestic actions for the purposes of meeting commitments.]



40. [Parties shall promote the accelerated penetration of cost-effective technologies in non Annex-I countries through the provision of financial support as appropriate, such as concessional loans and risk guarantees, for the large-scale dissemination of these technologies.]

*[Voluntary agreements][Partnerships]*

41. [Focused voluntary technology oriented agreements, including on partnerships within and outside the Convention and engaging the private sector and civil society organizations and local and subnational governments [shall][should] be [recognized][encouraged], including in accordance with Article 11.5 of the Convention. Such agreements could include cooperative R&D and large-scale demonstration projects, technology deployment projects, cooperation on specific sectors or gases, and cooperation on climate observation and warning systems for enhancing resilience.] [The contribution to enhanced action on RD&D through voluntary agreements on research, development and demonstration of key mitigation or adaptation technologies, shall be recognized under the Convention. Such agreements shall involve Parties to the Convention, and may include partnerships with the private sector, academia and civil society.]

*Technology information*

*Move the section on Technology information before section on Voluntary agreements.*

42. [Technological information transfer agreement/multiple agreements to facilitate the spread of environment friendly products [and a healthy and reliable agricultural production system should be established].]

43. [The technology mechanism under the Convention can also include a] [A] technology information platform, based on existing platforms, [should be developed and be continuously updated to collect information] on sector-specific technologies and best practices [on publicly and privately held technologies, [including on IPRs and licensing], costs, abatement potentials, barriers and manufacturers of technologies.] [The existing technology information platforms should be strengthened and linked together.]

44. [The technology mechanism will also develop a][A] global database including ‘[green production][low-emission]’ technologies and best practices for mitigation and adaptation to be continuously updated [should be developed through the technology information clearing house (TT:CLEAR).]

*[Development and transfer of technologies for adaptation]*

45. Development and transfer of technologies for adaptation should be enhanced through, *inter alia*:

- (a) For existing technologies for adaptation,
  - (i) Undertake an inventory of existing adaptation technologies in developing countries, including its state of current production;
  - (ii) Promote wide dissemination of existing adaptation technologies within similar regions;
  - (iii) Strengthen institutional and technical capacity of research and academic institutions, including re-orienting research programmes;
- (b) For future technologies for adaptation
  - (i) Stimulate and promote research, development and production of future adaptation technologies;

- (ii) Encourage and promote south to south technology development and cooperation;
- (iii) Promote wide diffusion of emerging adaptation technologies in similar climates; and
- (iv) Promote cooperation on research and development activities among developing countries.]

### 3. Institutional arrangements, including funds

*[Note: Parties proposed several options for the creation or strengthening of institutional arrangements under the Convention for enhancing action on technology. In proposing these arrangements, Parties in some cases also proposed funds and/or implementation aspects. Proposals on funds for technology are reflected in paragraph 175 in FCCC/AWGLCA/2009/INF.1 and proposals on implementation aspects of enhanced action on technology are reflected in paragraphs 19– 31 above (181–195 in FCCC/AWGLCA/2009/INF.1).]*

46. [Institutional arrangements for] enhanced cooperative action on technology  
[shall][should][include]

#### [Option 1

[Strengthen cooperation] [Make efficient use of the current institutional arrangements] through a range of institutions.

[An enhanced advisory capacity or role for] [and further efforts by] the Expert Group on Technology Transfer (EGTT) [acting in accordance with decision 4/CP.7 and serving as an advisory body to] [with the role of advisory centre at UNFCCC subsidiary bodies for development and transfer of technologies, and perform the following functions:] [to all bodies of the Convention] [the SBI, and] [the SBSTA] [and SBI] with appropriate improvements. The EGTT shall:

- (a) Provide advice and recommendations to the COP on the overall implementation of technology action under the Convention;
- (b) Elaborate a technology action plan as a starting point of its work;
- (c) Guide and supervise the disbursement of a multilateral climate technology fund;
- (d) Promote communication and information/knowledge sharing;
- (e) Engage the private sector and encouraging cooperative partnership between governments, research intuitions, including cities, and industries, recognizing a wide variety of processes, mechanisms and organizations outside the UNFCCC and the critical role of private-sector investment, capacity and expertise as well as the role of public research institutions;]
- (f) Seek cooperation and coordination with relevant international technology initiatives and organizations, particularly with respect to the development of technology road maps, cooperative actions on research and development of technology, options for financing technology deployment, diffusion and transfer, and advice on issues related to IPR;
- (g) Stimulate the establishment of facilitative mechanisms to leverage private sector financing to meet developing countries' needs;
- (h) Encouraging and strengthening collaborative partnership arrangements with relevant existing and emerging national and international public and private sector institutions

and initiatives, including academia, the research community, government, business and other stakeholders;

- (i) Develop special reviews on existing technologies, including information on estimated cost, risks, benefits and limitations, as well as the required infrastructure, human resources and diffusion potential, taking into account the circumstances of the host Party;
- (j) Elaborate suggestions on the implementation of the most appropriate financial scheme for a given technology deployment in a given country, including assessment of local capability in production of its components and their servicing;
- (k) Elaborate regulatory documents, terms and criteria and guidance, and preparation of the respective decisions of the Parties;]
- (l) Monitor and assess the performance and progress, using performance indicators, and report to the COP.

[The membership of the EGTT shall be expanded] [The EGTT shall establish panels] to encompass business, research community and other relevant expert organizations, including the financial community, with responsibility for, inter alia:

- (m) Provision of relevant technical and other expert advice relating to the process of technology development, deployment and diffusion;
- (n) Undertaking technology action plans and road maps;
- (o) Provide advice as requested on TNAs, technology development plans or low emission development strategies.]

[[Option 2<sup>4</sup>

an executive body on technology, as a subsidiary body of the Convention, to enhance the implementation of the Convention by enhancing action on technology development and transfer to support action on mitigation and adaptation. The executive body shall, inter alia:

- (a) Provide advice and recommendations to the COP on the overall implementation of technology action under the Convention;
- (b) Elaborate a technology action plan as a starting point of its work;
- (c) Guide and supervise the disbursement of a multilateral climate technology fund [according to eligibility criteria such as Parties' level of development as well as their emissions reduction, limitation and adaptation potentials and their absorption capacities (human capital, depth of domestic market etc.)].
- (d) Promote communication and information/knowledge sharing; and policy dialogue;
- (e) Monitor and assess the performance and progress, using performance indicators, and report to the COP;
- (f) Identifying areas of cooperation with the private sector and making recommendations to the COP for action;
- (g) Contribute to the measuring, reporting and verifying of both the actions and the support for the actions;

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<sup>4</sup> This proposal is presented in connection with proposals on funds reflected in paragraph 49, below and proposals on implementation aspects reflected in paragraphs 19–22 above (181–183 in FCCC/AWGLCA/2009/INF.1).

- (h) Advise on promoting technology transfer and diffusion in all relevant sectors, especially carbon capture and storage technology;
- (i) Identify best practices and best available technologies from developed countries and technologies that will be available in the future;
- (j) Develop special reviews on existing technologies, including information on estimated cost, risks, benefits and limitations, as well as the required infrastructure, human resources and diffusion potential, taking into account the circumstances of the host Party;
- (k) Elaborate suggestions on the implementation of the most appropriate financial scheme for a given technology deployment in a given country, including assessment of local capability in production of its components and their servicing;
- (l) Elaborate regulatory documents, terms and criteria and guidance, and preparation of the respective decisions of the Parties.]

Under the guidance of the COP, this body would comprise and be supported by a strategic planning committee, technical panels, a verification group and a secretariat [accountable to the executive body].

The executive body on technology shall [comprise government representatives elected by the COP with balanced regional representation, who are experts on matters related to technology development and transfer, and be open to input from other experts.] [be open to all Parties. Members of the committee and panels shall be determined by the COP.] [A multilateral climate technology fund (MCTF) shall be established that will provide technology-related financial requirements as determined by the Executive Body under COP.]]

Alternative to Option 2:

[Establish an Executive Body on Technology (EBT), as a subsidiary body of the Convention, in accordance with its Article 7.2 (i). The EBT shall be composed of government representatives, elected by the COP, with balanced regional representation, who are experts on matters of technology development and transfer. The EBT shall: (the following can be put in an Annex to the decision to establish the EBT, as terms of reference, organizational structure, functions, etc...)]

- (a) be guided by the following principles:
  - (i) operate under the authority and guidance of the Conference of the Parties;
  - (ii) achieve the accessibility, affordability, appropriateness, and adaptability of technologies required by developing country Parties for enhanced action on mitigation and adaptation;
  - (iii) achieve the removal of barriers for development, deployment, adoption, diffusion, and transfer of environmentally-sound technologies (ESTs);
  - (iv) ensure the provision of new and additional, adequate and predictable financing resources for development, demonstration, deployment, adoption, diffusion, and transfer of ESTs;
  - (v) support the development and enhancement of endogenous capacities and technologies of developing country Parties;
  - (vi) accelerate the penetration of cost effective technologies, including pilot projects, capacity-building and facilitating financing;

- (vii) promote win-win solutions and technologies that have great potential to minimize adverse impacts of climate change and the adverse impacts of response measure in developing countries Parties including economic diversification;
  - (viii) be action-oriented in the view to achieve cost effectiveness;
  - (ix) promote broader involvement of relevant stakeholders;
  - (x) promote public-private partnership.
- (b) have the following functions:
- (i) accelerate the development, demonstration, deployment, adoption, diffusion, and transfer of environmentally-sound technologies from developed country Parties and other developed Parties included in Annex II to the Convention, to developing country Parties, in order to avoid the lock-in effects of non-ESTs, and to promote sustainable development in developing country Parties;
  - (ii) provide access to technology for adaptation at national, sub-regional and regional levels, enabled by capacity-building, and the provision of new and additional, adequate and predictable financing resources to meet the costs of both integration of adaptation into the development process and stand-alone adaptation activities;
  - (iii) remove barriers to technology transfer and enhance means of facilitating this transfer, to promote urgent access to advanced ESTs while balancing rewards for innovators with the common good of humankind, including, inter alia, jointly-developed technology and sharing of intellectual property rights;
  - (iv) enhance enabling environments to facilitate access to technology, including through financing environments that leverages private sector financial resources, including policy dialogues, and involvement in development, demonstration, deployment, adoption, diffusion, and transfer of environmentally-sound technologies (ESTs);
  - (v) build on existing activities within the Convention, including the work of the enhanced Expert Group on Technology Transfer (EGTT), to promote coherence through the integration of ongoing activities related to development and transfer of technologies;
  - (vi) provide the means for the full implementation of Convention commitments on development, deployment, adoption, diffusion, and transfer of environmentally-sound technologies (ESTs) , and related financing and capacity-building;
  - (vii) develop strategy and technology action plans and monitor and verify the implementation of the specific operational policies, guidelines and administrative arrangements, including the disbursement of resources, for the purpose of achieving the objectives of the multilateral technology fund taking into account the cost effectiveness of the proposed activities as well as the potential for their replicability;
  - (viii) coordinate action by different stakeholders at international, regional and national levels;

- (ix) assess the performance of development and transfer of ESTs in terms of speed, range and size of the technological flow.
- (c) be comprised of and supported by:
  - (i) A Strategic Planning Committee to:
    - develop strategy;
    - provide regular guidance;
    - assess and elaborate technology-related matters;
    - continuously evaluate progress, including financial and technological flows and range and effectiveness of technologies transferred;
    - develop updates for the Technology Action Plan (TAP), as described below, at regular intervals;
    - perform any other functions to be assigned to it by the EBT;
    - capacity-building.
  - (ii) Technical Panels to generate and compile current expert information related to, inter alia,
    - policies and measures;
    - intellectual property cooperation, sharing and partnership;
    - sectoral, cross-sectoral and cross-cutting cooperation;
    - assessment, monitoring and compliance related matters;
    - dissemination of knowledge;
    - documenting, scaling up and diffusion of indigenous adaptation technologies which already exist in developing countries.
  - (iii) A Verification Group to put in place a measurement, reporting and verification system for compliance with the provision of financing and the development, demonstration, deployment, adoption, diffusion, and transfer of environmentally-sound technologies by Annex I Parties to developing countries under the mechanism, and the overall compliance with financing and technology commitments under the Convention, including the MRV requirements under the Bali Action Plan.
  - (iv) A Secretariat to:
    - support and facilitate the activities of the Executive Body of Technology;
    - compile and prepare a final report on the financial and technological contributions made and reported by Parties to the technology mechanism, including the overall MRV requirements under the Bali Action Plan.

- (d) Develop a Technology Action Plan (TAP) to serve as a starting point for the work of the Executive Body.
  - (i) It will include specific actions and timelines for the first three years, and will be updated for successive three-year periods.
  - (ii) To realize the full potential of technology, the TAP shall support all stages of the technology cycle, including research, development, demonstration, diffusion, and transfer.
  - (iii) The TAP will define specific policies, actions and funding requirements for all relevant technologies under the following classifications: public domain technologies, patented technologies and know-how, future technologies.
- (e) the establishment of national and regional technology centers of excellence to reinforce north-south, south-south and triangular cooperation, including joint research and development (details can be annexed to the legal/agreed outcome).

An indicative list of activities and costs eligible for support under the EBT is attached as an Annex in paragraph 52 below (the Annex will consist of the indicative list of activities and costs eligible for support by the mechanism contained in the G77 and China submission on a Technology mechanism under the COP)].

[Option 3<sup>5</sup>

[a technology committee [to advise] the COP in technology policy issues. [The committee should be serviced by a strengthened professional secretariat and advised by a technology panel comprising experts nominated by Parties.] [The functions of the technology committee include][a technology panel shall have the following functions]:

- (a) Identifying areas of cooperation with the private sector and making recommendations to the COP for action;
- (b) [Reviewing and propose [and deciding] on technology investments];
- (c) [Reviewing [and approving] technology funding requests];
- (d) [Reviewing progress of implementation of the technology action programme];
- (e) [Approving procedures and modalities for technology cooperation with the private sector.];
- (f) Identify and promote best practices and best available technologies;
- (g) Identify appropriate ways for promoting transfer of existing best available technologies and those that will be available in the short, medium and future terms;
- (h) Provide guidance and support to developing country Parties in producing technology needs assessments as part of their low carbon development strategies;
- (i) Gather and, where necessary, produce or commission global technology roadmaps;
- (j) Assist coordinating mechanism with assessment of NAMAs and other relevant bodies.]

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<sup>5</sup> This proposal is presented in connection with proposals on funds reflected in paragraph 49, below and proposals on implementation aspects reflected in paragraph 19– 22 above (181–183 in FCCC/AWGLCA/2009/INF.1).

## [Option 4

a new body on technology transfer and financing [under the Convention] to enhance the implementation of technology transfer mechanisms as well as the associated enabling activities such as capacity-building, technical training, and R&D cooperation, including those activities identified in TNAs, NAMAs and NAPAs. The new body on technology transfer and financing should:

- (a) Coordinate the existing financing mechanisms, either market or non-market, [to be established];
- (b) Contribute to the measuring, reporting and verifying of both the actions and the support for the actions;
- (c) Facilitate links for accessing to funds and should reduce diversification among existing sources of funds within the Convention;
- (d) Articulate technology transfer and financing mechanisms under the Convention with other United Nations organizations, multilateral financial institutions established under bilateral or multilateral development programs and other relevant international forums not directly related to climate change, with the assistance of technical panels to be created.]

*Insert a new paragraph which integrates key elements of current options 2, 3, 4 and 5.*

## [Option 5

involvement of private entities and/or relevant international organizations, at national and/or sectoral level, through, inter alia, the enhancement of public-private partnership and the provision of advisory functions by experts in public and/or private sectors. For enhancing this cooperation, an [advisory group] for sectoral technology cooperation to support the implementation of NAMAs by removing obstacles to and promoting technology transfer and diffusion in all relevant sectors.

The advisory group for sectoral technology cooperation should, inter alia:

- (a) Identify best practices and best available technologies from developed countries and technologies that will be available in the future;
- (b) Identify appropriate ways for promoting transfer of existing best available technologies through analysing emission reduction potentials and setting indicators;
- (c) Advise on promoting technology transfer and diffusion in all relevant sectors;
- (d) Periodically report to the COP on its activities.]

## [Option 6

a new technology leveraging service which could form part of a broader facilitation platform should be created to provide an interactive facilitation service for actions identified through low emission development strategies and/or TNA/NAMA/NAPA processes. This service is to be provided to developing countries and would, on a voluntary basis, assess potential actions, assist in the development of rigorous projects proposals and assist in matching with the most appropriate form of investment support, particularly with a view to leveraging private sector funding. This service would work closely with relevant international financing institutions, multilateral development banks and the private sector. ]

## [Option 7

A Technology Development and Transfer Facility is hereby established.



The purpose of the Technology Development and Transfer Facility is to assist developing country Parties to identify and help facilitate the transfer of low greenhouse gas emitting technologies, particularly renewable energy and energy efficiency technologies, to assist in the undertaking of national appropriate mitigation actions. The Facility shall also assist particularly vulnerable developing countries to identify and help facilitate the transfer of appropriate adaptation technologies.

The Technology Development and Transfer Facility shall be subject to the authority and guidance of the COP (or the Conference of the Parties serving as the assembly of Parties) and be supervised by a Board.

The constituency of the Board shall be determined by the COP (or Conference of Parties serving as the assembly of Parties) and be guided by the principle of equitable geographical representation.

The Technology Development and Transfer Facility shall regularly report to the COP (or Conference of Parties serving as the assembly of Parties).

Advice shall be provided to the Technology Development and Transfer Facility Board by the Expert Group on Technology Transfer.]

*Proposal to consolidate paragraph 45 (196 in FCCC/AWGLCA/2009/INF.1) with paragraphs 174 and 175 in FCCC/AWGLCA/2009/INF.1 by using the following alternative:*

*Alternative to paragraph 45 (196 in FCCC/AWGLCA/2009/INF.1) and paragraphs 174 and 175 in FCCC/AWGLCA/2009/INF.1<sup>6</sup>:*

[Institutional arrangements for enhancing the implementation of Article 11 of the Convention, through finance, technology and capacity-building, shall include:

The creation of a Financial and Technology Mechanism meant to ensure the full, effective, and sustained implementation of the Convention, in relation to implementation of commitments for the provision of financial resources. This is mandated under Articles 4.3, 4.4, 4.5, 4.8 and 4.9 of the Convention in accordance with Article 11, defining the financial mechanism under the Convention.

The Financial and Technology Mechanism shall address all aspects of cooperation on technology research, development, diffusion, and transfer in accordance with Articles 4.1(c), 4.3, 4.5 and other relevant articles of the Convention, in order to enable mitigation and adaptation under the relevant paragraphs of decision 1/CP.13.

The basic architecture of the Financial and Technology Mechanism under the Convention will comprise two pillars, one on adaptation and the other on mitigation.

An Executive Body on Finance and Technology for Adaptation (EBFTA), accountable to the COP, shall be established. The EBFTA shall have, inter alia, the following functions:

- (a) The EBFTA shall organize, coordinate, monitor and evaluate the implementation of the comprehensive framework for adaptation, including the enabling means of financing, technology and capacity-building.
- (b) The EBFTA will guide and supervise the disbursement of the Adaptation Fund to be created under the Convention. [Further provisions on the Adaptation Fund to be inserted.]
- (c) The EBFTA shall coordinate disbursements from the Adaptation Fund according to the needs as indicated in national plans for adaptation submitted by developing countries to the EBFTA.

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<sup>6</sup> This text is presented in both the finance section and the technology section in response to a request by Argentina.

- (d) Financial and technical support should be available upon request by developing countries to the EBFTA for the elaboration of national plans for adaptation.
- (e) The EBFTA shall manage a certification system for receiving financial resources in compliance with the financial commitments of developed country Parties under Article 4.3 of the Convention.
- (f) The EBFTA shall articulate technology transfer and financing mechanisms under the Convention with other United Nations organizations, multilateral financial institutions established under bilateral or multilateral development programs and other relevant international forums not directly related to climate change, with the assistance of technical panels to be created.

The EBFTA will be supported by four technical panels on Research and Development, Capacity-building, Transfer of Technologies for Adaptation, and Observation systems and information management. The technical panels shall comprise government representatives elected by the COP with balanced regional representation, who are experts on matters related to each of the technical panels, and be open to input from other experts, in order to ensure transparent and efficient governance.

An Executive Body on Finance and Technology for Mitigation (EBFTM), accountable to the COP, shall be established. The EBFTM shall have, inter alia, the following functions:

- (a) The EBFTM shall organize, coordinate, monitor and evaluate the implementation of the comprehensive framework for mitigation, including the enabling means of financing, technology and capacity-building;
- (b) The EBFTM will govern a Mitigation Fund to be created under the Convention; [Further provisions on the Mitigation Fund to be inserted.]
- (c) The EBFTM shall coordinate disbursements from the Mitigation Fund according to the needs as indicated in NAMAs submitted by developing countries to the EBFTM;
- (d) Financial and technical support should be available upon request by developing countries to the EBFTM for the elaboration of NAMAs;
- (e) The EBFTM shall coordinate disbursements from the Mitigation Fund according to the needs for REDD+ activities as requested by developing countries to the EBFTM;
- (f) Financial and technical support should be available upon request by developing countries to the EBFTM for the preparation of REDD+ activities;
- (g) The EBFTM will also coordinate with regional development banks concessional loan arrangements for the private sector in developing countries for the implementation of specific mitigation activities;
- (h) The EBFTM shall manage a registry and certification system for receiving financial resources in compliance with the financial commitments of developed country Parties under Article 4.3 of the Convention;
- (i) The EBFTM shall articulate technology transfer and financing mechanisms under the Convention with other United Nations organizations, multilateral financial institutions established under bilateral or multilateral development programs and other relevant international forums not directly related to climate change, with the assistance of technical panels to be created.

The EBFTM will be supported by five technical panels on Research and Development, Capacity-building, Transfer of Technologies for Mitigation, REDD+, and Market Mechanisms. The technical panels shall comprise government representatives elected by the COP with balanced regional representation, who are experts on matters related to each of the technical panels, and be open to input from other experts.

#### *Technical Panels*

- (a) Both Technical Panels on Research and Development (TPRDA and TPRDM) shall, inter alia, coordinate multilateral technology research, development and demonstration programs and provide appropriate support to developing country Parties through North-South and South-South cooperation schemes, and promote joint ventures to accelerate deployment, diffusion and effective transfer of technologies;
- (b) Both Technical Panels on Capacity Building (TPCBA and TPCBM) shall organize, coordinate, monitor, evaluate and retrofit the implementation of capacity-building activities for adaptation and mitigation and the respective financing and technology development and transfer, in developing countries. TPCBs shall also provide information and views on the fulfillment of support commitments for capacity-building by developed countries. The TPCBs shall create mechanisms for sharing lessons learned, promote south-south cooperation as well as for the dissemination of successful capacity-building activities in developing countries;
- (c) Both Technical Panels on Transfer of Technologies (TPTTA and TPTTM) shall, inter alia, Provide advice and recommendations to the Executive Bodies on Finance and Technology on the overall implementation of technology; Promote communication and information/knowledge sharing; Monitor and assess the performance and progress of technological research, development, demonstration, diffusion, and deployment, using performance indicators, and report to the COP. In addition, this technical panel shall develop reviews on existing technologies, including information on estimated cost, risks, benefits and limitations, taking into account the circumstances of the host Party;
- (d) The Technical Panel on Observation Systems and Information Management (TPOSIM) shall, inter alia, organize, coordinate, monitor, evaluate and retrofit the implementation of systematic observation and information management (including data collection and archiving, analysis, modelling, downscaling and dissemination) activities for adaptation in developing countries. The TPOSIM shall create mechanisms for sharing lessons learned, promote south-south cooperation as well as for the dissemination of successful systematic observation and information management activities for adaptation in developing countries;
- (e) The Technical Panel on REDD+ (TPREDD+) shall, inter alia, determine reference levels methodologies, support enhancement of REDD project activities within countries, and other general methodological issues;
- (f) The Technical Panel on Market Mechanisms (TPMM) shall, inter alia, organize, coordinate, monitor, evaluate, and retrofit the implementation of mitigation activities in developing countries that are carried out under the market mechanisms. The TPMM will deal with issues such as country-specific sectoral baselines, additionality, monitoring and verification plans, registration of mitigation activities and actions, issuance of credits, etc.;
- (g) In addition, an MRV Panel to be created under the COP shall be in charge of establishing methodologies for MRV, measuring, reporting and verifying mitigation actions and the support received as required by paragraph 1.(b)(ii) of Decision 1/CP.13, and keeping

records of mitigation and adaptation activities implemented by developing countries with their own resources.

The UNFCCC Secretariat shall support and facilitate the activities of the EBFTA, EBFTM, and the technical panels.]

*National and regional technology innovation centres*

47. Existing [national and regional technology innovation centres] [Cooperative Technology Development Centres] and networks among Parties, particularly in developing countries [shall][should] be [established][and existing centres][strengthened][established and/or strengthened], as appropriate, [in major developing country regions around the world] to:

- (a) [Be a coordinating nodal centre to facilitate and enable the identification of one or more key technological products which have strong sustainable development and climate change benefits along with their projected price and performance targets, the development of such products, and the markets for these products, in partnership with appropriate public and private sector organizations.]
- (b) Promote [joint R&D activities] [in the context of South–South, North–South and triangular][and] cooperation [joint development of new technology][, which may include the sharing of IPRs];
- (c) [Promote the deployment, development and transfer of environmentally sound technologies for mitigation and adaptation [to developing country Parties]];
- (d) Stimulate capacity-building[, in particular for endogenous technologies];
- (e) Improve access to information on existing and new technologies;
- (f) [Promote the sharing of IPRs].]
- (g) Provide cooperative training and development facilities supported by public-private partnerships to develop and deploy renewable energy and energy efficiency technologies and environmentally sound adaptation technologies.
- (h) Provide training opportunities for participants from all countries to facilitate the development and transfer of renewable energy and energy efficiency technologies as well as other environmentally sound adaptation technologies.

48. [[Financial resources required to support] [Funding for the development of] [New and additional financing that is adequate, predictable and sustainable for] such [centres and networks][Cooperative Technology Development Centres][joint technology excellence centres] [shall][should] be provided by various sources including the [identified by the COP (or Conference of Parties serving as the assembly of Parties)] [Technology Window of the] [multilateral climate technology fund referred to in paragraph 175 in FCCC/AWGLCA/2009/INF.1, option 5, above] and [developed country] Parties through [an assessed contribution] [existing bilateral and multilateral cooperative programmes, partnerships and initiatives] [to enable entities in these countries to do research and development especially on adaptation as well as mitigation technologies].]

49. [Establish a Multilateral Climate Technology Fund (MCTF) to provide technology-related financial resources as determined by the EBT. The MCTF shall operate under the Conference of the Parties as part of the enhanced multilateral financial mechanism set up under the Convention: (also see Annex paragraph 51 below (x.4 in FCCC/AWGLCA/2009/INF.1))

## 50. Sources of Funds:

- (a) The MCTF shall be financed by assessed contributions from developed country Parties and other developed Parties included in Annex II of the Convention. Contributions to the mechanism shall be new and additional, and adequate and predictable, in accordance with Article 4.3 of the Convention;
- (b) An agreed proportion of contributions by developed country Parties to bilateral and regional cooperation may be considered as contributions to the MCTF, provided that such cooperation is consistent with the policies and scope of the mechanism, and the guidance provided by the EBT;
- (c) Specific sources including, parts of regular fiscal budget for research and development, fiscal revenue from taxation on carbon transaction and/or auction of emission permits in carbon market, as well as fiscal revenue from energy or environmental taxation in developed countries;
- (d) Financing transfer to the MCTF shall be counted as measurable, reportable and verifiable commitments, both for mitigation and adaptation actions;
- (e) Any financial resources for technology development and transfer channelled outside the framework of the financial mechanism, and therefore outside the authority and guidance of the COP, shall not be regarded as fulfilment of commitments by developed country Parties under Articles 4.3 and 4.5 of the Convention, or in fulfilment of the Bali Action Plan;

## 51. The MCTF will cover, inter alia,

- (a) eligible costs of activities approved by EBT;
- (b) the administrative costs of the Executive Body, the Secretariat, and other bodies serving the EBT;
- (c) costs associated with other specific decision of the Conference of the Parties related to technology development and transfer.

## 52. Annex I

Activities eligible for support from the mechanism include, inter alia:

- (a) Promotion, facilitation and implementation of activities along the entire technology cycle to enable the accelerated adoption of ESTs;
- (b) Support for research, development, manufacture, commercialization, deployment and diffusion of technologies for adaptation and mitigation in accordance with Decision 1/CP.13.
- (c) Adaptation technologies to address the adverse effects of climate change and finance the removal of barriers to the large-scale transfer of technologies for adaptation;
- (d) Technologies to address the adverse impact of response measures, and finance the removal of barriers to the large-scale transfer of technologies for reducing the adverse impact of response measures;
- (e) Capacity-building to manage and generate technological change, enhance absorptive capacity, create enabling conditions in developing countries, inter alia, costs of:

- (i) Research, development and demonstration of new technologies;
  - (ii) Enhancing human and institutional capacity;
  - (iii) Guarantees on foreign direct investment for environmentally sound technologies.
- (f) Commercialization of new and emerging technologies, inter alia:
  - (i) Venture capital, with public investment leveraging private capital markets for emerging technologies;
  - (ii) Research, development, and demonstration of new technologies, financed by venture capital and other sources;
  - (iii) Joint technology development
- (g) Creation of manufacturing facilities for EST, including low-GHG emission technologies, inter alia, costs of:
  - (i) Compulsory licensing, cost associated with patents, designs, and royalties;
  - (ii) Conversion of existing manufacturing facilities or of establishing new facilities;
  - (iii) Research and development activities, including joint research, development, design, and demonstration;
  - (iv) Technology adaptation;
  - (v) Retraining and dissemination of know-how;
  - (vi) Operation; and
  - (vii) Monitoring and verification.
- (h) Procurement of low-GHG emission technologies, including software and hardware, inter alia:
  - (i) Cost of premature modification or of replacement of existing equipment, as well as the cost of new equipment;
  - (ii) Cost of retraining and dissemination of know-how;
  - (iii) Cost of technical assistance for the design, installation, and stable operation of the technology;
  - (iv) Cost of fuel and other operational costs;
  - (v) Cost of technologies for fuel switching;
  - (vi) Cost of monitoring and verification.]

53. [A technology window, established in the new financial mechanism under the control of the COP, shall support implementation of concrete and practical technology activities elaborated.]

54. [An international renewable energy and energy efficiency bond mechanism is hereby established.

55. The purpose of the international renewable energy and energy efficiency bond mechanism is to provide developing country Parties with interest-free loans for financing the development and deployment of renewable energy and energy efficiency technologies.

56. Purchasers of renewable energy and energy efficiency bonds shall be provided interest payments through funding provided by the Technology Window of the Multilateral Fund on Climate Change.
57. All Parties shall ensure that interest payments made through the renewable energy and energy efficiency bond mechanism will be tax free within their domestic jurisdiction.
58. An international renewable energy and energy efficiency bond commission shall be established to facilitate:
- (a) the issuance of bonds;
  - (b) the issuance of renewable energy and energy efficiency loans;
  - (c) the issuance of interest payments.
59. The international renewable energy and energy efficiency bond commission shall report to the Technology Development and Transfer Facility Board and shall be assisted by the Expert Group on Technology Transfer.
60. The rules, modalities and guidelines for the operation of the international renewable energy and energy efficiency bond mechanism shall be agreed upon by the COP (or the Conference of Parties serving as the assembly of Parties).
61. Each Party, to the extent feasible, shall also develop a system of national renewable energy and energy efficiency bonds to complement the international system.]

Annex VI**Capacity-building**

This text reflects the consolidation efforts undertaken by the facilitator of the informal group on technology transfer and capacity-building on paragraphs 199–201 (pages 196–199) of the revised negotiating text (FCCC/AWGLCA/2009/INF.1) following the discussion and comments provided by the Parties during the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009.

In line with the approach agreed by Parties, parts of the text referring to similar concepts were consolidated and reordered while retaining the original language contained within the revised negotiating text.

Subheadings have been added by the facilitator in the consolidated text to improve its readability and mark clusters containing similar concepts. These subheadings are not intended as an introduction of a new text by the facilitator or a specific suggestion on addressing the issue of capacity-building. The subheadings will be removed from the text at a later stage if Parties so decide.

Paragraphs have been renumbered, starting from 1.

Paragraphs can be traced to their origin by using the explanatory table contained in annex VI to document FCCC/AWGLCA/2009/INF.2/Add.1, which also provides the rationale for the consolidation.

In this annex cross-references refer back to the revised negotiating text (FCCC/AWGLCA/2009/INF.1).

Structural proposal:

*Paragraph on financial resources for capacity-building support should be moved to the chapter on finance.*

1. Principles

1. Parties should cooperate to address the capacity needs of developing countries taking into account the following guiding principles:

- (a) For LDCs capacity-building activities will be undertaken in the context of Article 4.9 of the Convention. This will ensure that there is capacity to utilize effectively the support given to this group to adapt to the impacts and participate in mitigation actions;
- (b) Capacity-building should be:
  - (i) a continuous, progressive and iterative process;
  - (ii) country driven and consistent with national priorities and circumstances;
  - (iii) context specific and tailored to specific needs;
  - (iv) built on existing institutions and making use of local and indigenous knowledge;
  - (v) cross cutting and integrated into development planning and implementation;
  - (vi) participatory, with the engagement of a broad range of stakeholders;
  - (vii) an integral part of enhanced action on adaptation and mitigation.



## 2. Scope of capacity-building support

2. [International cooperation [shall][should] be enhanced to support the capacities of developing country Parties to implement mitigation and adaptation [capacity-building] actions, including, inter alia:
- (a) [[Creation] [strengthening] of enabling environments at national, [subnational and local] level [for enhanced action on adaptation and as appropriate mitigation], including [the establishment, where necessary, of appropriate] policy and legal and regulatory frameworks;]
  - (c) [Institutional strengthening through [the establishment of national coordinating bodies or enhancement of those bodies, where they exist, and] strengthening capacity of national focal points, [national coordinating processes] [and stakeholders;]]
  - (d) [Capacity-building for the preparation, implementation and follow-up of [NAPAs] [National Adaptation Plans], other national adaptation plans/strategies, national communications, TNAs for adaptation and mitigation including under NAMAs and [NAPAs] [National Adaptation Plans], and the readiness and implementation phase for REDD and REDD-plus activities and the carbon capture and storage project activities;]
  - (e) [Enhancement of capacity to plan, prepare and implement relevant mitigation and adaptation actions;]
  - (f) [Capacity-building for monitoring, reporting and verification of NAMAs, [[including][and] REDD-plus actions]], [Enhancement of capacities to monitor and report on climate change actions, including for preparation of national communications], national greenhouse gas inventories and carbon capture and storage project activities;
  - (g) [Capacity-building needs identified in national communications, national adaptation plans, NAMAs, national REDD-plus plans, national technology road maps and carbon capture and storage project activities;]
  - (h) Capacity-building needs specific for urban areas;
  - (i) Promotion of education, training and public awareness, with special focus on youth, women and indigenous peoples;
  - (j) Promotion of the gathering and exchange of information related to climate change impacts on marine ecosystems, communities, fisheries and other industries; emergency preparedness, monitoring and forecasting of climate change and ocean variability; and improvement of public awareness of early warning system capacity;
  - (k) Provision of technical assistance for building developing countries' capacity to 'ready' themselves for accessing larger pools of domestic and international financing];
  - (l) Building, development, strengthening, enhancement and improvement of existing scientific and technical skills, capabilities and institutions, particularly in developing countries, to enable them to assess, adapt, manage and develop technologies that have:
    - (i) great potential to reduce GHG emissions;

- (ii) win-win solutions including carbon capture and storage technologies;
- (iii) great potential to minimize the adverse impacts of climate change and the adverse impact of response measures in developing country parties including economic diversification;
- (m) Capacity-building in technology R&D, including innovation for adapting available technologies to national endowments and circumstance, and in actual deployment and servicing of technologies at operational levels;
- (n) Strengthening of national institutions to address the emerging capacity-building needs, particularly those related to implementation of the provisions of the climate change regime.

3. [Developed countries shall support developing countries to formulate and implement strategies and action plans to implement learning-by-doing stand alone capacity-building projects/programmes and activities within the agreed framework under the Convention.]

### 3. Institutional arrangements

4. A specific capacity development and support mechanism shall be established [and supported by developed country Parties to cater for the specific capacity-building needs of developing country Parties, in particular LDCs, SIDS and African countries,] including training (subregional training of trainers), mentoring and learning-by-doing activities among other measures:

- (a) To empower relevant institutions at various levels [taking into account also the need for stand alone capacity development activities at various levels];
- (b) To enhance observation, research and knowledge management;
- (c) [To strengthen endogenous capacities;]
- (d) To strengthen communication, education and awareness-raising at all levels, especially at the local and community levels;
- (e) To strengthen and use regional networks of information and knowledge sharing[, including indigenous knowledge sharing;]
- (f) To share experiences, information and best practices of developing countries [regions including African, Asian and Latin American countries within AOSIS;]
- (g) To assess, strengthen and mobilize the capacities of existing relevant facilities and institutions [in LDCs, SIDS, Africa and other] developing countries;
- (h) [To strengthen and use data for systematic observation, early warning, modelling, disaster preparedness and capacity evaluation and monitoring;]
- (i) [To strengthen capacity for modelling and needs assessments related to adaptation, mitigation, capacities, financing and technologies;]

- (j) To develop tools, methods and technologies and support their application;
- (k) To encourage and strengthen participatory and integrated approaches in planning and decision-making, including the meaningful participation of [various non-governmental actors] [civil society];
- (l) [To strengthen the structural and institutional capacity for economic diversification].

5. Technical Panels on Capacity Building (TPCBA and TPCBM) shall organize, coordinate, monitor, evaluate and retrofit the implementation of capacity-building activities for adaptation and mitigation and the respective financing and technology development and transfer in developing countries. TPCBs shall also provide information and views on the fulfilment of support commitments for capacity-building by developed countries. The TPCBs shall create mechanisms for sharing lessons learned, promote South-South cooperation as well as for dissemination of successful capacity-building activities in developing countries.

#### 4. Measurement of capacity-building support and action

6.

##### Option 1

[Support for capacity-building activities shall be measured through the use of agreed and effective performance indicators [and in units to be established as part of the review of the implementation of the capacity-building framework adopted under decision 2/CP.7.], in order to ensure that the resources provided by developed country Parties are benefiting developing countries within the context of the agreed activities identified and undertaken through a bottom-up, national-driven process.]

##### Option 2

[To facilitate the monitoring and review of commitments under the Copenhagen Agreement, all Parties should report on progress made in enhancing the capacity to address climate change, and of support provided or received.]

#### 5. Provision of financial resources for capacity-building

7. [Financial and technological support [shall] [should] be provided in the context of Article 4.9 of the Convention in a transparent, expedited, direct access, sustainable and predictable manner under the overall guidance of the COP through

##### Option 1

a dedicated multilateral fund for capacity-building as referred to in paragraph 175, option 6.

##### Option 2

a new financial mechanism to support mitigation, adaptation, technology transfer and capacity-building action as referred to in paragraph 166 and paragraph 174, option 1.

Provision of capacity-building support to developing country Parties, along with delivery of financial support and technology transfer, shall be a legally binding obligation of developed country Parties, with consequences for non-compliance.]

Annex VII**Cross-cutting proposals related to structure and placement**

During the informal meeting of the AWG-LCA held in Bonn, Germany, in August 2009, the Chair summarized cross-cutting proposals related to structure and placement in the following manner:

- (a) Structural proposals:
  - (i) Restructure the text to distinguish common responsibilities of all Parties from differentiated responsibilities of different groups of Parties;
  - (ii) Add annexes to reflect commitments and actions by Parties;
  - (iii) Maintain the separation between responsibilities of developed and developing countries;
  - (iv) Organize provisions according to, and referring back to relevant Articles and provisions of the Convention.
- (b) Proposals related to placement:
  - (i) Consideration of means of implementation (finance, technology and capacity-building):
    - Integrate provisions related to means of implementation in the chapters on finance, technology and capacity-building;
    - Integrate provisions related to means of implementation in the chapters on finance, adaptation, mitigation and shared vision;
  - (ii) Move aspects related to financing and institutional arrangements to the respective chapters of the negotiating text;
  - (iii) Move aspects relating to the global goal and mid-term targets, including ranges of emission reductions, to the mitigation chapter;
  - (iv) Placement of objectives and guiding principles:
    - Reflect objectives, scope and guiding principles at the beginning of the chapter on mitigation and adaptation;
    - Move objectives and principles to the respective section in the shared vision chapter.
- (c) Proposals related to structure and placement in the mitigation chapter:
  - (i) Reflect overlaps, relationship, and coherence with the AWG-KP;
  - (ii) Treatment of measurability, reporting and verification of mitigation action and support:
    - Consider measurability, reporting and verification of mitigation actions as related to 1 (b) (i) and 1 (b) (ii), and REDD-plus in one chapter integrated with measurability, reporting and verification of support;

- Consider measurability, reporting and verification separately for actions under paragraphs 1 (b) (i) and 1 (b) (ii), and REDD-plus.

- - - - -

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Thur 1/26/2017 10:43:18 PM  
**Subject:** FW: Udall Demands Answers from Administration on Reported EPA Grant and Contract Freeze

**From:** Grantham, Nancy  
**Sent:** Thursday, January 26, 2017 2:52 PM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** FW: Udall Demands Answers from Administration on Reported EPA Grant and Contract Freeze

fyi

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

Personal Phone/Ex. 6 (mobile)

Subject: Udall Demands Answers from Administration on Reported EPA Grant and Contract Freeze



**For Immediate Release**

**January 26, 2017**

**Contact:** Jennifer Talhelm

202.228.6870 | [news@tomudall.senate.gov](mailto:news@tomudall.senate.gov) | [@SenatorTomUdall](https://twitter.com/SenatorTomUdall)

## **Udall Demands Answers from Administration on Reported EPA Grant and Contract Freeze**

**WASHINGTON** — Today, **U.S. Senator Tom Udall** sent a letter to President Donald Trump demanding answers on press reports that the administration has ordered a “freeze” to grants and contracts at the Environmental Protection Agency (EPA).

In the letter, Udall, the Ranking Member on the Senate Appropriations Subcommittee on the Department of the Interior, Environment, and Related Agencies, expressed his deep concern and alarm about the reported executive directive, an abrupt and unexplained action that could affect funding for dozens of programs under the subcommittee’s jurisdiction. As Udall noted, Congress – and more specifically, the subcommittee that funds the EPA – was not notified of the freeze by administration officials or the EPA, despite the Appropriations Committee’s clear constitutional oversight authority over agency use of funds. Furthermore, Udall wrote that attempts to secure further details on the freeze have been met with a grossly insufficient and unspecific response from the administration. Udall requested the complete text and details of any and all orders related to the reported freeze, and a detailed report describing the outcomes of each and every change implemented as a result of such a freeze, no later than February 3, 2017.

"On January 23, 2017, the press began citing reports of a 'freeze' to grants and contracts at the Environmental Protection Agency (EPA)," Udall wrote. "As Ranking Member on the Senate Appropriations Subcommittee on the Department of the Interior, Environment, and Related Agencies, I am deeply concerned about this abrupt and unexplained action potentially affecting funding for dozens of programs under this subcommittee’s jurisdiction. Agency grantees from New Mexico have been contacting my office alarmed by these reports and the lack of any clear information from the agency."

"I was even more alarmed that attempts to secure details on this action yielded nothing more than an unattributed – and extremely unspecific – paragraph copied into an email chain. Appropriations Committee oversight over agency use of funds is an extremely serious matter, derived from clear constitutional authority. To this date, I remain unaware of the authorities or identity of the individual or individuals issuing such direction or the process being used to implement such direction. Further, despite

repeatedly asking questions of agency staff, I still have not received any detail on what EPA programs are, or are not, affected by such a freeze – nor how long such a freeze will last,” Udall continued.

**The full text of the letter can be found below and [here](#).**

*Dear Mr. President:*

*On January 23, 2017, the press began citing reports of a “freeze” to grants and contracts at the Environmental Protection Agency (EPA). As Ranking Member on the Senate Appropriations Subcommittee on the Department of the Interior, Environment, and Related Agencies, I am deeply concerned about this abrupt and unexplained action potentially affecting funding for dozens of programs under this subcommittee’s jurisdiction. Agency grantees from New Mexico have been contacting my office alarmed by these reports and the lack of any clear information from the agency.*

*A Presidential transition is a busy time, and it is reasonable for incoming officials to evaluate programs under their purview for a brief period. However, I am alarmed that Congress and specifically our subcommittee that funds EPA were not notified of such a freeze by administration officials or EPA – I only learned of this development from press reports.*

*I was even more alarmed that attempts to secure details on this action yielded nothing more than an unattributed – and extremely unspecific – paragraph copied into an email chain. Appropriations Committee oversight over agency use of funds is an extremely serious matter, derived from clear constitutional authority. To this date, I remain unaware of the authorities or identity of the individual or individuals issuing such direction or the process being used to implement such direction. Further, despite repeatedly asking questions of agency staff, I still have not received any detail on what EPA programs are, or are not, affected by such a freeze – nor how long such a freeze will last.*

*Congress appropriated funds for EPA to carry out programs protecting human health and the environment, and such funding is not subject to deferral, reduction, or reallocation, as confirmed by the Supreme Court over 40 years ago (*Train vs. City of New York*, 42 U.S. 35) and long-standing budget laws (Congressional Budget and Impoundment Control Act of 1974, 2 U.S.C. 681-688). Without notification or detail, I am unable evaluate the administration’s actions to determine if the law is being followed properly.*

*I respectfully request that the administration provide the subcommittee with the following information:*

- *Complete text of any and all orders related to the “freeze” described in the press by transition officials; the duration of such a freeze; which programs are, or are not, included in such a freeze; and the name and position of the official issuing such direction.*



- *A detailed report describing the outcomes of each and every change implemented as a result of such a freeze. This information should include, but is not limited to, changes in grantee allocations or formulas, changes to timing or amounts of funding distributions, and contracts cancelled or changed.*

*The American people deserve an open and transparent budget process. This includes prompt notification to the subcommittee on any and all actions involving funding under our jurisdiction and comprehensive details on the scope and impact of such actions.*

*I appreciate your prompt response to this request by no later than February 3, 2017.*

*Sincerely,*

*###*

**To:** Schnare, David[schnare.david@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Thur 1/26/2017 10:43:06 PM  
**Subject:** Grant pause

Sen. Undall has requested a shot brief on the pause of the grants.

Do you have anything written up that we can provide?

I will forward you his letter.

Ericksen

**From:** Schnare, David  
**Location:** 3402 WJC-N  
**Importance:** Normal  
**Subject:** Climate Comm. Plan  
**Start Date/Time:** Mon 1/30/2017 4:00:00 PM  
**End Date/Time:** Mon 1/30/2017 5:00:00 PM

**From:** Adm14Pruitt, Scott  
**Location:** Administrator's Office  
**Importance:** Normal  
**Subject:** Meet and Greet II  
**Categories:** EZ Record - Shared  
**Start Date/Time:** Tue 2/21/2017 2:20:00 PM  
**End Date/Time:** Tue 2/21/2017 2:40:00 PM

**\*\*\*\*Please DO NOT forward this calendar invitation. You may “Accept” or “Decline” the invitation but DO NOT respond with questions or concerns. If you do have any questions or concerns about this invitation please contact [scheduling@epa.gov](mailto:scheduling@epa.gov).\*\*\*\***

**From:** Benton, Donald  
**Location:** WJC-N 3412  
**Importance:** Normal  
**Subject:** Meeting with Beachhead Team  
**Start Date/Time:** Mon 1/23/2017 9:00:00 PM  
**End Date/Time:** Mon 1/23/2017 9:45:00 PM

**To:** Benton, Donald[benton.donald@epa.gov]; Schnare, David[schnare.david@epa.gov]; Greaves, Holly[greaves.holly@epa.gov]; Sugiyama, George[sugiyama.george@epa.gov]; Bangerter, Layne[bangerter.layne@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Davis, Patrick[davis.patrick@epa.gov]; Kreutzer, David[kreutzer.david@epa.gov]; Ericksen, Doug[ericksen.doug@epa.gov]; Konkus, John[konkus.john@epa.gov]

**From:** Mccabe, Catherine  
**Location:** Alm Conference Room  
**Importance:** Normal  
**Subject:** Congressman Ken Calvert Visit  
**Start Date/Time:** Mon 2/6/2017 6:00:00 PM  
**End Date/Time:** Mon 2/6/2017 7:30:00 PM

**To:** Valentine, Julia[Valentine.Julia@epa.gov]  
**Cc:** Pruitt, Scott[Pruitt.Scott@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Schnare, David[schnare.david@epa.gov]; Kreutzer, David[kreutzer.david@epa.gov]; Ericksen, Doug[ericksen.doug@epa.gov]; Greaves, Holly[greaves.holly@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Benton, Donald[benton.donald@epa.gov]  
**From:** Whitt Sessoms  
**Sent:** Thur 3/30/2017 3:24:13 PM  
**Subject:** Clean Water Act and Meeting  
[Adm. Pruitt letter.pdf](#)

Hi Julia,

Great talking with you this week and I sincerely appreciate your offer to connect me with the right people within the EPA to set up a meeting. As you may have gathered from our brief phone conversation, I am very excited about President Trumps vision with regards to the EPA and Administrator Pruitt with his vision and position with the agency. I would like to meet with the appropriate member(s) of the Presidents transition team that to the best of my ability have copied on this email. Also, I need to give you a little background on my purpose of the meeting.

First let me disclose to you that I am in the real estate development business in southeast Virginia and northeast North Carolina. I have developed many tracts of land requiring me to deal with wetland issues, beach dune issues, and many other facets of government oversight. I have been active specifically in Virginia Beach Va., Currituck County, N.C., and Dare County, N.C. In addition, relating to the purpose of my meeting request with the abovementioned EPA representatives, I would like for you to know I have served on several regulatory boards and commissions at the pleasure of the Va. Beach City Council and previous Governors of Virginia. In particular, I served on the:

1. Governor's Regulatory Reform Advisory Board
2. Beaches and Waterways Advisory Commission
3. Board on Conservation and Development of Public Beaches
4. Congressional Fishing Advisory Board
5. Virginia Marine Resources Commission

The abovementioned boards and commissions are responsible for:

1. Regulatory policy, rule and code making
2. Approving and crafting the required public hearing process for potential regulations, statutes and rules
3. Enacting and administering action for violations of various laws and statutes



4. Permit granting
5. Working with scientist to assist in crafting proposed legislation and to set standards in determining the success and failure of the program and initiative
6. Hearing violators of regulations and laws and meting the appropriate penalty

Again, relating to the proposed abovementioned meeting, in my business I have and continue to deal and interact with the following federal, state, and local regulatory agencies, government bodies, and authorities:

- 1.U.S. Environmental Protection Agency
2. Army Corp. of Engineers
3. U.S. Fish and Wildlife Service
4. U.S. State Department
5. National Marine Fisheries
6. North Carolina Department of Environmental Quality
7. Currituck County Planning
8. Dare County Planning
9. North Carolina Department of Transportation
10. Virginia Department of Transportation
11. Virginia Department of Environmental Quality
12. Virginia Institute of Marine Science
13. Virginia Marine Resources Commission
14. City of Virginia Beach Planning, Zoning, and Waterfront Operations
15. County of Mecklenburg Planning and Zoning
16. Surface Transportation Board
17. Economic Development Partnership of North Carolina

18. NCEast Alliance

19. Virginia Beach Economic Development

20. Virginia Port Authority

21. Nature Conservancy

So, as you can see, I have a tremendous amount experience dealing with local, state, and federal environmental, economic development, and other government issues pertaining to land and water bodies. I have to admit, of all of the agencies, departments, boards and commissions I have dealt with and/or served on, the one that appears to exert the greatest non sanctioned overreach enabled by lack of self-governance from within and further perpetuated by executive orders coupled with a systemic lack of public input from major stakeholders on rule, policy, and code making is the U.S. Environmental Protection Agency! By major stakeholders I mean individuals and entities that own significant tracts of land that are severely impacted by new and existing laws, policies, and codes of the Clean Water Act. The EPA has the wetland inventory at its fingertips that should be used as a database of those affected property owners who need to be contacted to give input to new laws and regulations that directly affect the value of their property. Use me as an example. I own and have owned several large parcels that have required me to deal with the ACOE/EPA. Also I have had direct business dealings with Fish and Wildlife to acquire my property with their consulting the EPA and I have not received any request or notification for public input from the EPA pertaining to a new rule, regulation, or law in the last twenty years nor has any notification been in a local newspaper or any other communication that reaches out to stakeholders. Please note my attached letter to Administrator Pruitt along with the attached summary from my environmental engineer substantiating certain issues I mention above.

I need to disclose an interaction I had with the ACOE pertaining to a field visit to a property of mine in Currituck County in North Carolina as it relates to the Clean Water Act and somewhat showcases my frustration. I had the property under contract that required a letter from the ACOE that they did not have jurisdiction over the tract. They were from the Wilmington office and we met on the property several years ago. It was a 40 acre farm that had been cultivated for the last 150 years and located on US 158 in Currituck County NC. The ACOE representatives on site initially stated the whole farm was under their jurisdiction because the drainage ditches drained into a two foot pipe under US 158 which then emptied into Currituck Sound. They stated that the ditches were "navigable" thus were "waters of the U.S." When I asked how the two foot wide ditches were navigable under the Clean Water Act, they stated because they would pass the "canoe test" meaning if you could float a canoe in the water in the ditch, then it was navigable! Of course after engaging several elected officials representing that area they talked sense into the ACOE and in the end I did not need a permit to develop the farmed area and I closed on the property. I also sold several tracts to the Fish and Wildlife and their employee went through with me the same process with regards to them buying our property to expand the Currituck National Wildlife Refuge. With all of my interaction with the ACOE

pertaining to Clean Water Act issues, and all of the above-mentioned boards and commissions I have served on and dealt with, I have never been notified or seen a notification in an official or unofficial capacity of an EPA act or proposed code, rule, or any other action.

After exhaustive "schooling" on the Clean Water Act from my own experience and tutoring by my environmental engineers, I have become very concerned with the over reach and inverse condemnation that the Act has become and created over time. Looking at the original intent of the act as being the protection of tidal wetlands, marshes, and bogs, it is now reclassifying many more types of land as wetlands that were not wetlands in the past based and this gross expansion is based on no scientific reason. The best example is "Flatwoods or Winter Wet Woods" defined by the EPA as wet for "extended periods". These woods and forests are traditional woods or forests with traditional vegetation and leaves covering the earth. Sometimes after a rain event, puddling occurs in small areas as it does everywhere that is flat. This commonplace occurrence now creates a "wetland" under the jurisdiction of the EPA/ACOE that was not a wetland previously. Note the following link....

<https://books.google.com/books?id=ZBQNDgAAQBAJ&pg=PA422&lpg=PA422&dq=winter+wet+woods&source>

which is a book titled: Wetland Indicators a Guide to Wetland Formation, Identification, Delineation, Classification, and Mapping. Page 428 states: "Complex landscapes pockmarked with small wetlands and small drylands make it practically impossible to separate wetlands from drylands." This in fact categorizes 90% of the land in southeast Virginia and northeast North Carolina. This coupled with the recent inclusion of loblolly pine trees as an indicator of wetlands goes past reasonability. Pines are found all over the entire states of Virginia and North Carolina.....tidewater, piedmont, and mountainous regions To make it even more frustrating, Loblolly pines cannot even physically grow in traditional wetland areas. This further deems non wetland areas as wetlands. . To make this even more interesting, I have an application in at the Norfolk office of the ACOE for a site visit to a property I own in the middle of Virginia Beach on the fringe of the Resort Area District. The city wants to buy this tract and it would be for a use that would generate numerous jobs and be a big help to our resort trade that generates \$1.4 billion dollars to the city economy. The city wants a letter from the ACOE stating they do not have jurisdiction over the parcel which is an elevated wooded forest with a stand of 100 year old pines that is dry with simply a leaf matting covering the ground. This is how skittish buyers of any property in the tidewater areas of North Carolina and Virginia have become because of the unpredictability of the EPA and ACOE.

These overreaching rules, laws, and codes which were changed by re-writing the regulations and not amending the original Clean Water Act make a significant part of coastal areas wetlands for no reason at all. So in other words these changes to the Clean Water Act did not even go back to Congress for a vote. This has devastating long-lasting effects on the local economies and creates a significant financial hardship and ruin to hard working families who thought they owned properties as investment that were developable and in many cases were their retirement savings only to be notified upon their wish to sell that the property that it was now a wetland and not developable therefor of little value because the mitigation in most cases cost more than the value of the land.

With all of this being said, I would appreciate the opportunity if you could assist me in setting up a meeting with any of the new incoming transition or landing team members appointed by President Trump that are willing to hear what I have to say that may give them a more accurate picture of the agency they will be running. Again, it was a pleasure speaking with you this week and I sincerely appreciate your offer to help me set up a meeting. As I mentioned, Senator Bill DeSteph would like to attend the meeting and once we have a couple of dates, there are other state and federal elected officials I would like to invite to the meeting. Lastly, I have experience dealing with the State Department too, I would be happy to share some of those stories with Presidents incoming transition team pertaining to that department, a lot of work to be done there too.....talk to you soon!

With Best Regards,

Whitt G. Sessoms, III

Cape Development and Real Estate Co.

524 Winston Salem Ave.

Virginia Beach, Virginia 23451

Cell

**Personal Phone/Ex. 6**

<<...>>

# Cape Development & Real Estate Co.

524 Winston Salem Avenue  
Virginia Beach, Virginia 23451  
(757) 477-1469  
Fax (757) 428-1185

March 4, 2017

Administrator Scott Pruitt  
USEPA Headquarters  
William Jefferson Clinton South Building  
Room 3000  
Washington, DC 20004

Dear Administrator Pruitt:

First I would like to congratulate you for being named Administrator of the U.S. Environmental Protection Agency by President Donald Trump. As a Trump supporter, Republican, and businessman, I am proud of his choice for this position

Being in business in Virginia and North Carolina we are extremely hard hit by the additional rules and regulations the Obama administration have arbitrarily implemented pertaining to criteria used for identifying wetlands. These new and overreaching directives, including ones implemented by previous administrations, have rendered prime developable land into undevelopable wetlands or developable at a cost for mitigation that is not economically feasible. This severely stymies business growth and job creation in the Mid-Atlantic region and I suspect in all coastal states. The added consternation with these new regulations is that we have to pay thousands of dollars and wait months if not years for the Army Corp. of Engineers to tell the property owners that their property is now unusable or usable only after investing an additional amount of capital for mitigation that is economically unfeasible. Adding salt to the wound is that the property owners have been paying real estate taxes on the parcels for years as developable property, which was the case prior to the new rules, executive orders, etc. Many of these new rules and regulations occurred without proper public notice and without Congressional approval.

These new directives have moved away from the intent of the Clean Water Act that was envisioned to protect tidal wetlands, marshes, and bogs. Now the Act covers dry, level, elevated woodlands. We currently own a parcel of land in Virginia Beach, Va that we want to develop and the finished product will create substantial jobs and provide a public service. Walking the parcel you would think it is wooded upland and is not and has no wetland components. However with the over regulation from the Obama Administration, portions of this property could possibly be considered wetlands. In other words, this woodland could be in the same category as tidal marsh! This is truly government condemnation of land through over regulation. Mr. Keith Miller is my environmental consultant and I asked him to summarize in more detailed what I am referring to and is attached.

I would be happy, as would Mr. Miller, to meet with any of your staff and brief them on these changed standards to the original Clean Water Act that are killing business. Hopefully once you see the magnitude of this negative government intrusion on property rights and job creation, you will want to roll back these additional changes to the original Clean Water Act. Again, it is a government taking of property and an administrative nightmare with regards to time and expense, not to mentioned lost jobs and business opportunities for the municipalities. Also, I am sure that if these recent directives are reversed, it would save the taxpayers a substantial amount of money that is going to the EPA and Army Corp. of Engineers for the additional staff and expense to oversee and implement these directives.

Again, congratulations on your appointment and I am truly excited you are the new Administrator of the EPA. Please do not hesitate to have any staff person contact me directly for a more in depth analysis of this chronic problem. This letter is to congratulate you on your appointment and to just give you some local insight into how the federal government bureaucracy is smothering business and property owners in this part of the country.

With Best Regards,

A handwritten signature in black ink, appearing to read 'WCS' followed by a stylized flourish.

Whitt G. Sessoms, III  
President

cc: The Honorable Bill DeSteph

This is a discussion of the regulatory revisions put into place by the ACOE, EPA and NRCS that have caused significant negative impacts to the economy and land development.

Simply stated, by revising the vegetation categories and the ground water requirements, land that would not meet the test for jurisdictional wetlands ( prior to 2009 ) is now classified as jurisdictional wetlands.

## HISTORY

The original Wetlands Delineation Manual was adopted in 1987. In 2009 the “ Atlantic and Gulf Coast Supplement “ was adopted. By 2011 the Supplement had been fully implemented. The Supplement combined with additional revisions to the National Wetlands Plant List resulted in the following changes to the delineation procedures:

1. The original test for establishing sufficient hydrology to meet the ACOE requirements was that water had to be present within 13 inches ( or less ) of the surface for a period of 30 consecutive days during the “ growing “ season ( January, February and March ).

This requirement has been revised to state that water has to be present within 13 inches of the surface for 14 consecutive days any time during the year.

The results of this revision is that a property is more likely going to meet the Hydrology test.

2. The original Hydrophytic vegetation requirements listed 5 categories of vegetation. Each category carries a numerical value. By adding the total numeric values you “ score “ each data point area thereby allowing that area to be classified as having met the criteria or not. A score of 20 or more means that the vegetation does not meet the requirements as hydrophytic.

## SCORE

- |            |                                                                              |
|------------|------------------------------------------------------------------------------|
| 1          | Obligate Wetlands - vegetation that will only grow in very wet conditions    |
| 2          | Facultative wetlands - vegetation that will grow in moderately wet           |
| conditions |                                                                              |
| 3          | Facultative - vegetation that will grow in slightly wet conditions           |
| 4          | Facultative uplands - vegetation that will grow in moderately dry conditions |
| 5          | Uplands - vegetation that will only grow in well drained uplands areas       |

Changes that were made to the National Wetlands Plant List ( originally 2009, revised 2014 ) moved a number of Vegetative species from the Facultative Uplands category into the Facultative category thereby reducing their score by one point. This resulted in the vegetative analysis of an area becoming more likely to meet the Hydrophytic Vegetation test.

The area has hydrophytic vegetation when more than 50% of considered species are classified as obligate wetlands or facultative wetlands.

## **SUMMARY**

In accordance with the Supplemental Wetlands Delineation Manual a property must meet three requirements to be classified as a jurisdictional wetland. One, the soils must be classified as hydric with a chroma ( color ) of 2 or less. Two, the property must have ground water ( Hydrology ) present within 13 inches of the surface for a minimum of 14 days during any calendar year. Three, Hydrophytic vegetation ( Wetlands plants ) must be present as the dominant species.

Note: Hydric soils are caused by the soils being inundated with ground water for a sufficient time to cause a permanent color change. This occurs as a result of lack of oxygen in the soils ( anerobic ).

## **Farmed Wetlands**

Starting around 2014 the ACOE began looking at existing farm fields for evidence that surface water is standing for a significant amount of time thereby allowing the ACOE to take jurisdiction over those areas as “ wetlands “. The determination is made by comparing field indicators, aerial photographs and satellite infra red images.

Should the owner decide to develop the property they will be required to have a mitigation plan approved ( a lengthy and expensive process ) and purchase wetlands bank credits prior to development. The mitigation plan preparation and approval can be as long as two years and cost anywhere from several thousand to ten's of thousands of dollars.

In addition to that issue the National Resource Conservation Service ( NRCS ) and EPA have jurisdiction over prior converted ( PC ) farm land. These are farm fields that were converted from wetlands to cultivated fields after 1985 under the swamp buster act.

Any change in the current activity, I. E. new cultivating techniques, changes to surface runoff or potential development requires approval from these two federal agencies.

## **Waters of the United States**

In June 2015 the EPA began enforcing a revised rule proposed by the Obama administration in 2014 that greatly expanded their regulatory authority over much of the nation's waterways including but not limited to, rivers, streams, creeks, wetlands, farm ponds and ditches. As usual the regulations are vaguely worded and purposefully confusing



**giving the federal agencies free reign as to how they are interpreted and enforced.**

**The results of these new regulations is that the land owner now must deal with numerous federal agencies, confusing regulations that the agencies themselves don't understand, soaring costs for consultants and the potential for years of negotiating with no guarantee for success.**

**To:** Kreutzer, David[kreutzer.david@epa.gov]  
**Cc:** Konkus, John[konkus.john@epa.gov]; Benton, Donald[benton.donald@epa.gov]; Schnare, David[schnare.david@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Wed 2/8/2017 1:34:26 PM  
**Subject:** Re: EPA Daily News Briefing for Wednesday, February 8, 2017

## Deliberative Process Privilege/Ex. 5

John, let's talk about this morning.

Ericksen

Sent from my iPhone

On Feb 8, 2017, at 4:09 AM, Kreutzer, David <kreutzer.david@epa.gov> wrote:

## Deliberative Process Privilege/Ex. 5

Sent from my iPhone

Begin forwarded message:

**From:** "Bulletin Intelligence" <epa@bulletinintelligence.com>  
**Date:** February 8, 2017 at 6:55:44 AM EST  
**To:** epa@BulletinIntelligence.com  
**Subject:** EPA Daily News Briefing for Wednesday, February 8, 2017

Mobile version and searchable archives available at [epa.bulletinintelligence.com](http://epa.bulletinintelligence.com).

**TO: ADMINISTRATOR AND SENIOR EXECUTIVES**  
**DATE: WEDNESDAY, FEBRUARY 8, 2017 7:00 AM EST**

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## **Administrator**

### **Watchdog Groups Files Open Records Lawsuit Against Pruitt.**

NPR (2/7, Wertz) reports that the Center for Media and Democracy filed an open records lawsuit against EPA Administrator-designate Scott Pruitt seeking records during his time as Oklahoma's attorney general with fossil fuel companies and the Republican Attorney General's Association. The group also asked a judge "for an injunction preventing the Oklahoma AG's office from destroying any documents related to its records request."

Reuters (2/7, Volcovici) reports that center's director of research, Nick Surgey, said, "We are doing this because these emails should be released so that people can properly vet his record before the Senate votes to confirm him."

### **Report Says Pruitt Made False Statement While Under Oath To Senate.**

The San Francisco Chronicle (2/6) reports that EPA Administrator-designate Scott Pruitt “may have made a false statement under oath to the Senate,” according to a report first filed by Fusion’s Daniel Rivero on Monday. The “underlying facts of Rivero’s article” were then confirmed by Business Insider through an “independent review of publicly available documents from the case.” During his confirmation hearing, Sen. Cory Booker (D-N.J.) asked Pruitt whether his approach to a case against several poultry companies was impacted because he previously “received \$40,000 in donations from those companies and law firms representing them.” At issue is Pruitt’s response, in which he claimed: “I have taken no action to undermine that case. I have done nothing but file briefs in support of the court making a decision.” Contradicting his claim made under oath to the Senate, Rivero and his team “found no evidence that Pruitt or his office had filed any briefs in support of making a decision with the case.”

#### **Additional Reading.**

- **Scott Pruitt Would Be A Disaster For Colorado’s Air, Water And Our Families’ Health.** Denver Post. (2/7)

### **Brownfields/Superfund/Other Cleanups**

#### **Additional Reading.**

- **Trump Firm Loses Bid To Limit Cleanup Liability For Property.** New York Times. (2/7, Meier)
- **EPA Starts Superfund Soil Testing In Pueblo City Parks.** Pueblo (CO) Chieftain. (2/7)

### **Climate Change**

#### **Republican Statesmen Call For Carbon Tax.**

The New York Times (2/7, Schwartz) reports that a group of Republican statesmen are calling for a tax on carbon emissions to fight climate change. The Climate Leadership Council, led by former Secretary of State James A. Baker III, with former Secretary of State George P. Shultz and former secretary of the Treasury Henry M. Paulson, claim a carbon tax is “a conservative climate solution” based on free-market principles. Baker is scheduled to meet on Wednesday with White House officials to propose a simpler carbon tax to replace the Clean Power Plan. The Washington Post (2/7, Mooney, Eilperin) reports the Climate Leadership Council is proposing to eliminate “nearly all of the Obama administration’s climate policies in exchange for a rising carbon tax that starts at \$40 per ton and is returned in the form of a quarterly check from the Social Security Administration to every American. While “the proposal faces long odds” because “many Republicans in Congress are adamantly against a tax increase of any kind,” the Post says “the revenue-neutral ‘carbon fee and dividend’ idea” is popular among economists and some leading climate scientists,” though “Republican statesmen from past administrations” are aligning behind the proposal for the first time. The Wall Street Journal (2/7) details how the carbon tax would work as an alternative to government regulation. The AP (2/7, Lucey, Pace) also reports.

**Broad Coalition Backs Carbon Capture Tax Credit.** TIME (2/7) reports a coalition of energy firms, green groups and trade unions are backing a proposed measure that “helps fight greenhouse gas emissions by providing a tax credit for capturing and storing carbon dioxide.” Support for the Section 45Q tax credit was detailed in a letter sent last week to members of Congress which said carbon capture and storage “represents an essential component of our nation’s strategy for achieving greenhouse gas emissions reductions,” and is a “genuine win-win for our nation’s economy and environment.”

## **Industry, Congress Seeing Exiting Paris Deal A Lower Priority.**

ClimateWire (2/7) reports that President Trump is being pulled in two directions on the Paris climate agreement: “Bend to ideological opponents of global climate action, or listen to the capitalists who see a financial angle in the small print.” Trump transition staff from conservative think tanks such as the Competitive Enterprise Institute and Heritage Foundation “are keeping up the drumbeat for an early exit,” but individual companies continue to support the deal and trade groups “remain carefully agnostic.” National Mining Association spokesman Luke Popovich said “it is by no means a priority for the U.S. industry, and I’m not sure it’s a top-tier priority for the administration, either.” Senate Republicans aim to re-prioritize the accord, noting that the agreement’s only binding elements relate to reporting and transparency, with Sen. Jim Inhofe saying, “It really is hardly worth even addressing.”

## **Whistleblower Claims NOAA Manipulating Climate Change Data.**

Fox News’ Special Report (2/7) reports John Bates, who recently retired as a lead scientist of the National Climatic Data Center, made the “explosive” accusation to the Daily Mail on Sunday that the National Oceanic and Atmospheric Administration (NOAA) “intentionally manipulated data to hide a 12 -year pause in global warming and that the study was a major influence in the 2015 Paris climate summit where western nations agreed to spend billions to reduce fossil fuel use.” Bates on Tuesday testified before lawmakers on the matter in a hearing entitled “Making the EPA Great Again.” He was shown saying, “We have every reason to be skeptical that our scientific community is maintaining its integrity.”

## **Energy**

### **Volkswagen Announces Subsidiary To Promote Electric Vehicles.**

Bloomberg News (2/7, Beene) reports Volkswagen has created a new subsidiary called Electrify America LLC, which will “manage the \$2 billion it is required to spend over the next decade in support of zero-emissions technology in the U.S.” The company will invest in EV infrastructure, such as charging stations, and operate various means of raising awareness for EVs as part of its parent’s legal settlement with the EPA over emissions violations.

The Wall Street Journal (2/7, Roberts) reports that almost half of the \$2 billion is expected to be spent in California where there are high volumes of electric vehicles. The Journal also notes that the company will install chargers in 15 metro areas, and develop a 200-station cross-country charging network. The company is also expected to experiment with other mobility plans like car-sharing.

Reuters (2/7, Shepardson) reports the company will install more than 500 charging stations across the country, with 300 in those 15 metro areas. Volkswagen’s investment also includes its “Green City” initiative where it will test out other mobility concepts. Mark McNabb chief executive of Electrify America was enthusiastic about the program saying it is “an opportunity to transform an industry. How many times in life do you get that opportunity?” Reuters adds that Volkswagen must submit all plans for regulatory approval from California and the EPA, and notes the company will invest \$500 million every 30 months until it meets its goal.

### **Additional Reading.**

- Op-Ed: EPA’s Change Of Heart On Fracking Is Purely Political, To Appease ‘Greens’.

## Environmental Justice

### **California Regulators, Lawmakers Discuss How To Target State Climate Spending On Disadvantaged Communities.**

The Los Angeles Times (2/7, Megerian) reports that lawmakers, regulators, and representatives from advocacy groups met on Monday in Oakland to develop “an updated series of guidelines to send cap-and-trade revenue to low-income neighborhoods,” as required by legislation passed last year. The parties involved discussed challenges to their mission, asking questions like: “How can low-income people benefit if they don’t live in an area that’s predominantly low-income? Do transit lines passing through low-income areas count under the state guidelines?”

## International

### **NYTimes Analysis: Coal Plants May Hamper China’s Climate Pledges.**

The New York Times (2/7, Wong) reports that China’s coal plants “undermine” the nation’s “aim of being a global leader on efforts to limit climate change.” Despite such pledges to reduce carbon emissions, “at least four such plants have begun operating in China in the past four years, pushed by local governments and state-owned enterprises in coal-rich regions,” and “dozens more have been under consideration.”

### **Additional Reading.**

- **Macedonian Capital Offers Free Transport To Fight Pollution.** AP. (2/7)
- **The Best And Worst Countries In The World When It Comes To Air Pollution And Electricity Use.** Business Insider. (2/8)

## Other News

### **EPA Official Continues Working As Washington State Senator.**

The Washington Post (2/7, Rein, Dennis) reports that Washington State Sen. Doug Erickson, an early supporter of President Trump, has been tapped by the President to run “communications and helping to reshape the Environmental Protection Agency,” but he has remained “a top Republican in the Washington state Senate, which is currently in session 2,808 miles due west in Olympia.” Erickson, “has pretty much been missing in action for the first month of the legislature’s 105- day session,” and his absence “is the linchpin to party control of the state Senate, since Washington state Republicans control the chamber by just one vote.” While his “dual roles are legal, since his EPA appointment helping run the agency’s ‘beachhead’ team is temporary and can last only 120 days,” it “hasn’t stopped Democrats from pouncing.”

### **Trump’s Top Political Aide To Stay On With EPA Following Transition.**

E&E Publishing (2/8) reports that acting EPA Administrator Catherine McCabe announced that Don Benton, President Trump’s top political aide at the agency, will remain on board with the agency following the transition period.

### **Four Lawmakers Support Bill To Abolish EPA.**

The Biloxi (MS) Sun Herald (2/7, Hampton) reports that freshman Rep. Matt Gaetz's bill proposing to "terminate the Environmental Protection Agency" has been co-sponsored by three other lawmakers, including Reps. Steven Palazzo (MS), Thomas Massie (KY), and Barry Loudermilk (GA).

## **Rules/Regulations/Policy**

### **House Science Committee Holds "Make Environmental Protection Great Again" Hearing.**

The Hill (2/7, Cama) reports on the "Make Environmental Protection Great Again" hearing held by a House Science committee intent on passing the "Secrete Science Reform Act," which would require all science used by the EPA to justify regulations be transparent and reproducible. During opening statements, Rep. Lamar Smith (R-Texas), the chairman of the House Science Committee, argued that "over the last eight years, the EPA has pursued a political agenda, not a scientific one." He said that the measures offers "an opportunity to right the ship at EPA and steer the agency in the right direction."

The Washington Post (2/7, Harvey) reports that "other lawmakers took issue with what they perceived to be an assault on the agency's ability to produce sound science-based regulations." The committee's ranking Democrat member, Rep. Eddie Bernice Johnson, said, "I'm disappointed but not really surprised our very first hearing in this Congress will be focused on attacking the EPA."

The Huffington Post (2/6, Kaufman) reports that witnesses speaking before the hearing include "a coal lawyer, a chemical industry lobbyist and a libertarian scholar who recently accused the Environmental Protection Agency of 'regulatory terrorism.'" The witnesses "seem likely to echo" the views of Rep. Smith.

Grist (2/7, Permenter) reports that Democratic Rep. Don Beyer "trolled" Trump supporters by wearing a "Keep the EPA Great" hat to the hearing.

BuzzFeed (2/8, Grandoni) reports that while the call for more transparency "seems benign on its face," those who oppose the bill say it is "simply a pretext for making the job of EPA scientists more difficult." For example, "Much of the research the EPA relies on to craft air and water rules are...health studies that contain personal information on patients and their family members." Disclosing such data used in an asthma study would violate health privacy laws, therefore under the proposed rule such data could be precluded from being used in the EPA's rule-making process.

**Silverstein: "Secret Science Reform Act" Aims To Curb EPA's Power.** Forbes (2/7) contributor Ken Silverstein discusses the "Secret Science Reform Act" proposed during the hearing. "On the surface," the goal of the bill is to increase transparency and to see how data is being assessed. However, Silverstein says the "true intent is to tie EPA's hands and to prevent it from carrying out its job." EPA's backers say that if implemented, the bill would "actually prevent large scale scientific studies from being used to craft regulation, given that such analyses can't be reproduced" because any attempts to do so would "be an expensive undertaking, or \$250 million over the next few years, says the Congressional Budget Office." Silverstein argues that the bill is an attempt to "curb EPA's powers," and that "allowing Pruitt a chance to kill regs with unquestionable benefits would be the agency's death knell, and probably that of the President of the United States."

### **EPA Approves Wisconsin Plan To Avoid Phosphorous Compliance With Fees.**

The [AP](#) (2/7, Lombardo) reports that the EPA approved a plan proposed by two Republican Wisconsin state lawmakers that will allow corporate polluters to “pay to delay compliance with strict phosphorous pollution standards.” The fees paid by the polluters would be used to fund county projects to reduce runoff. Wisconsin Sen. Robert Cowles “said these investments could be more effective at reducing phosphorous levels than forcing companies to make costly repairs or install water filtration systems.” Cowles also said he wasn’t sure upgrades to pollution-control equipment would make a difference in phosphorous levels. Detractors of the plan say there are already alternatives for companies that are unable to meet the standards, and that this plan only gives them more leniency. The [Chippewa \(WI\) Herald](#) (2/7, Verburg) reports, “some conservation groups have opposed the state plan, saying it lacked teeth to ensure that the fees would result in any significant improvement in water quality.”

## **Water**

### **US District Judge Continues Dismissing Flint Water Crisis Lawsuits Due To Safe Drinking Water Act Preemption.**

In continuing coverage, the [Detroit News](#) (2/7, Chambers) reports US District Judge John Corbett O’Meara issued an opinion and order dismissing two cases filed against Michigan Governor Rick Snyder and other state officials over the Flint water crisis. Judge O’Meara ruled that the suits were preempted by the Safe Water Drinking Act, the same reasoning he used in dismissing two other lawsuits involving the water crisis. [MLive \(MI\)](#) (2/7, Fonger) reports attorneys for one of the two cases “filed a notice of appeal of O’Meara’s decision in their case on Monday, Feb. 6.”

### **Engineering Company Estimates Upgrading Flint’s Water Plant Will Cost \$108M.**

The [AP](#) (2/7) says a report from engineering and construction company CDM Smith estimated that the total cost of upgrading Flint’s water treatment plant will be around \$108 million, which is higher than previous estimates. According to the AP, “The report estimates work on the plant can be completed in 2019-2020. The state Department of Environmental Quality must agree to the final version of the consultant’s report.”

[MLive \(MI\)](#) (2/7, Fonger) also provides coverage.

### **Additional Reading.**

- [New York To Expand Blood-testing Program For PFOS, PFOA. Middletown \(NY\) Times Herald-Record.](#) (2/7, Sparks)

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